

The CHAIRMAN. Well, I think it ought to be clarified. It alleges in this that this is used to pick up incoming conversations and telephone conversations also of the employees, the members of the Department, to outgoing particularly, particularly it has reference to conversations between members of the staff and reporters.

Mr. BALL. I am totally unaware of that, Mr. Chairman, and I am sure it is erroneous.

The CHAIRMAN. And they also allege that tapes, records are made of conversations between Senators and members of the State Department.

Mr. BALL. I am certain that that is wrong.

The CHAIRMAN. So you can say positively that that is not so?

Mr. BALL. Yes.

The CHAIRMAN. I think it ought to be knocked down. It is a very current story, and a front page story of this publication, which is natural, if it were true would be very disturbing to the Committee.

Mr. BALL. Certainly in my experience in the Department this is totally untrue.

This exchange originally appears in the CONGRESSIONAL RECORD on page 12202 of the May 7 issue. On that same page there is included a memorandum supplied by the Government Employees Exchange entitled "History and Location of 'Espionage' or 'Electronic Laboratory' Facilities at the Department of State." The memo describes a facility of four rooms, with room numbers, which, along with a lecture room, comprised an island in a moat of corridors completely surrounding the facility. In addition, a drawbridge consisting of a locked door, sealed the facility off from the so-called corridor 8 of the third floor. The memo went on to name some of those who were authorized to enter the facility, access to which was denied even to security officers. A brief history of the use of the facility was included in the memo.

As can be seen from Mr. Ball's testimony, he denies the existence of a facility for monitoring phone conversations and added that "I certainly would have been aware of it." Either Mr. Ball gave the Senate committee a deceptive answer or he was truly uninformed as to the existence of the facility, and especially its misuse in monitoring certain phone conversations. It must be understood that there are legitimate functions for so-called electronics laboratories. Other agencies have them, and they are used to devise new electronic equipment to counter and neutralize electronic eaves-

dropping by alien and unfriendly forces. But Mr. Ball specifically denied that a facility existed which was put to the use of monitoring phone conversations of State Department employees and "reporters."

The record shows that Mr. Ball was aware that phone monitoring had taken place in the State Department. When three State Department officials, John Reilly, David Belisle, and Elmer Dewey Hill, were found to have given misstatements—or possibly lied—to the Senate Internal Security Subcommittee, concerning the bugging of Otto F. Otepka's phone, they were requested to write letters to the subcommittee "amplifying" their testimony. Mr. Ball was the "go-between" between the three and Secretary Rusk.

The testimony of another State Department official, Abram Chayes, confirms that Mr. Ball was very much involved in the Otepka case. In testimony before the Senate Internal Security Committee on August 14, 1964, there occurred this exchange between Mr. Sourwine, chief counsel of the subcommittee, and Mr. Chayes:

Mr. SOURWINE. Can you tell us if it is correct that Mr. Rusk and Mr. Ball have made most of the decisions, have themselves made most of the decisions in the Otepka case?

Mr. CHAYES. Well, you say most of the decisions. Every major step in the case has been considered either by Mr. Rusk or Mr. Ball.

In addition, I have been reliably informed that the Otepka case was Mr. Ball's "baby." It is my understanding that he handled the Otepka affair and should have been aware of the chicanery that characterized the whole operation.

In January of this year Secretary Rusk, at a press conference, was questioned by Clark Mollenhoff of the Cowles Publications as to why perjury charges had not been referred to the Justice Department in the cases of Reilly, Belisle, and Hill:

MOLLENHOFF. Well, it has not been sent to the Department of Justice, and they were informed, the Assistant Attorney General in charge of the criminal division in the last week or two has informed a member of Congress that it has not been referred to the Department of Justice.

Secretary RUSK. Well, that it not my recollection of it four years ago. But nevertheless . . .

The above answer by Secretary Rusk indicates that he had not been aware of the many ramifications of the case and that he had not followed the developments closely. This would be understandable if the case had been referred for handling to Mr. Ball.

It is also my understanding that more information concerning Mr. Ball's part in the Otepka case will be brought to public attention next week.

The crux of the issue concerning Mr. Ball and the phone monitoring facility boils down to this: Regardless of whether Mr. Ball was aware of any facility or device, did he:

First. Authorize, direct, or approve, electronic security people to monitor or listen in on telephone conversations of certain State Department employees, or journalists?

Second. Receive any reports from electronic security people or the Director of Security of the Department of State concerning any monitored conversations of any State Department employees or journalists?

Mr. Ball should be made to answer these questions—this time under oath—before he is confirmed as the Ambassador to the United Nations.

COURAGEOUS GOV. LURLEEN WALLACE

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1968

Mr. FULTON of Pennsylvania. Mr. Speaker, I respectfully include the following telegram which I have sent to the Honorable George Wallace on learning of the passing of his lovely wife, Lurleen, Governor of Alabama:

HON. GEORGE WALLACE,
Montgomery, Ala.:

It is with real sorrow we have learned of the passing of your lovely wife, Gov. Lurleen Wallace, of Alabama. She certainly was a lovely, courageous person whom we all admired. She has left a heritage which every American woman can look to in high honor and pride.

JIM FULTON,
Congressman from Pennsylvania.

SENATE—Monday, May 13, 1968

The Senate met at 10 a.m., and was called to order by the President pro tempore.

Rev. Carl H. Douglass, Jr., minister, Duncan Memorial Methodist Church, Ashland, Va., offered the following prayer:

Dear Father of all men, who loves us more than we know and who is nearer than we suspect: we pray for ourselves, for our loved ones, and for our enemies; we pray for our Nation and our world. Heal our wounds and teach us the way of brotherhood.

We confess that we are small in mind, slow in deed, and often cowards before the truth. Make us humble that we might learn the more; save us from the

pinched mind and the loud mouth. Deliver us from taking our honors more seriously than our responsibilities.

Give us self-respect that we might be able to respect all persons. Give us a vision that includes more than our own way. Give us principles that center on persons. Make us both kind and brave. And give us an awareness of Thy presence that carries us through our small day to Thy everlasting light. In Thy name we pray. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Friday, May 10, 1968, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

WAIVER OF CALL OF THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the call of the legislative calendar, under rule VIII, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in

relation to the transaction of routine morning business be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MANSFIELD. That, of course, would occur after the distinguished Senator from Iowa [Mr. MILLER] is recognized and has completed his statement.

ORDER OF BUSINESS

The PRESIDING OFFICER. (Mr. TALMADGE in the chair). Under the order entered on Friday the Senator from Iowa [Mr. MILLER] is recognized.

Mr. MANSFIELD. Mr. President, the distinguished Senator has been recognized for one-half hour. I ask unanimous consent, with his approval, and with the stipulation that he does not lose his right to the floor, to suggest the absence of a quorum.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MILLER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TIME FOR POLICY DECISION IN FAVOR OF OUR MEN BEARING THE BURDEN OF THE WAR IN VIETNAM

Mr. MILLER. Mr. President, last August 31, the Senate Preparedness Investigating Subcommittee issued a unanimous report in which we declared:

Many proposals have been heard recently calling for a curtailment of our air campaign against North Vietnam, including a complete cessation of the bombing in certain vital areas. Each of these proposals has the serious fault that, if adopted, the inevitable result would be an increased infiltration of men and war goods into South Vietnam and increased casualties among U.S. and allied troops.

A territorial limitation of the bombing would . . . be a perilous course because it would afford the North Vietnamese many vital sanctuaries and enable them to expand the ground war in South Vietnam with a lesser penalty than is now being exacted. As an illustration, General Wheeler [Chairman of the Joint Chiefs of Staff] testified that a reduction of our bombing or imposition of additional restrictions on our air forces would cause increased U.S. and allied casualties in South Vietnam.

These observations were agreed to by the President of the United States last February 1, during his presentation of a Medal of Honor to one of our airmen. At that time the President said:

Let those who would stop the bombing answer this question: "What would the North Vietnamese be doing if we stopped the bombing and let them alone?"

The answer, I think, is clear. The enemy force in the South would be larger. It would be better equipped. The war would be harder. The losses would be greater. The difficulties would be greater. And of one thing you can be sure: It would cost many more American lives.

Two months later, on March 31, the President, in his nationwide television address, stated that he was ordering a

unilateral restriction of our air attacks on North Vietnam—restrictions which have since confined our attacks to North Vietnamese territory below the 20th parallel—some 180 miles above the DMZ.

He also said:

We ask that talks begin promptly, that they be serious talks on the substance of peace. We assume that during those talks Hanoi will not take advantage of our restraint.

At his news conference on April 11, the Secretary of Defense, Clark Clifford, was asked what would happen if we found that North Vietnam was taking advantage of our restraint, and he replied:

We would have to make a policy decision then as to what we would do in view of their decision not to comply with the formula that is in our minds.

Shortly thereafter, I pointed out that the President had not ordered any restrictions on our aerial reconnaissance flights over North Vietnam, and that the White House owed a duty to inform the people of the results of these flights. Certainly the people have a right to know whether, in fact, reciprocal restraint is being followed by North Vietnam; and, if such restraint has not been forthcoming, what the President is going to do about it.

Increasing anxiety over this matter has been expressed in the nearly 6 weeks since the President curtailed our air campaign over North Vietnam.

The distinguished columnist, Carl Rowan, wrote in the April 14 issue of the Washington Evening Star:

But there is growing uneasiness over the following evidence that the Communists may be suckering the U.S. into giving them a needed breather: Aerial photographs and other intelligence reports indicate a sharp increase in the infiltration of men and arms from North Vietnam into the South since President Johnson curbed bombing attacks on the North.

On April 17, the knowledgeable writer Joseph Alsop observed from Da Nang that—

The Hanoi "bosses" immediate aim is to see whether President Johnson can be horn-swoggled into abandoning the vital bombing of the North Vietnamese Panhandle without an adequate quid pro quo.

In the April 21 issue of the New York Times, Gene Roberts, writing from Saigon, quoted one of our top-ranking officers as saying:

They're bringing troops and ammunition into South Vietnam at the maximum rate.

In the April 23 issue of the Washington Post, staff writer Carroll Kilpatrick reported:

A large build-up of Communist forces in South Vietnam is taking place despite concentrated American bombing attacks on the invading contingents.

One official said that United States observers had never seen a heavier concentration of truck traffic moving south from North Vietnam than in recent days. . . . The trucks are said to be carrying men and supplies.

In the May 2 issue of the New York Times, reporter Hedrick Smith wrote:

Some senior American military officials are reported to have begun to argue for a resumption of American bombing through-

out North Vietnam. . . . Administration sources reported that the field commands were contending that North Vietnamese infiltration into the South in the last two months, especially during April, had reached a peak for the war. Some estimates place the infiltration figure for April as high as 20,000 men.

In the May 3 issue of the New York Times, Max Frankel reported that the President "will resist military pressure for a resumption of the bombing of North Vietnam north of the 20th parallel, at least until there is more persuasive evidence that Hanoi is stalling to gain military advantages. A menacing increase in the movement of men and supplies into South Vietnam or attacks on such cities as Saigon or Hue would force the President to reconsider the decision to spare Hanoi and Haiphong, officials point out."

In the May 5 issue of the Washington Post appeared an article, bearing the Saigon dateline, which reads:

North Vietnam has increased its troop infiltration into South Vietnam since President Johnson halted bombing above the 20th parallel a month ago, U.S. sources said today. . . . U.S. sources had reported earlier that North Vietnam also has increased its flow of war materials into the South. At least 10,000 enemy trucks were reported seen moving south, the largest such movement in the war. . . . Air officers maintain that the farther south the trucks and troops are allowed to go unhampered, the harder they become to knock out.

In the May 6 issue of the New York Times, William Beecher reported:

North Vietnam has made a "desperate effort" to rush men and supplies into South Vietnam in the last few months, according to Administration sources who made new figures available today on infiltration. . . . Despite heavy American air strikes between the DMZ and the 20th parallel in North Vietnam and along infiltration routes in Laos, they said, reconnaissance pilots report that convoys of 100 or 200 trucks are frequently sighted. "This is at least two or three times the normal flow," one official said. . . . Since President Johnson's speech March 31 announcing a curtailment of bombing and bidding for peace talks, knowledgeable sources said, there may have been a rise of 2,000 or so in the monthly infiltration rate.

In the Washington Post for May 8, Chalmers M. Roberts stated:

More than 100,000 North Vietnamese troops have been sent into South Vietnam since the Tet offensive in January and infiltration during the first five days of May was between 6,500 and 7,000 men, an Administration official said yesterday. The figures, the highest yet made public, were given to the White House correspondents of the Associated Press and United Press International.

Mr. President, from the foregoing, it is obvious that there has been no reciprocal restraint on the part of North Vietnam in response to President Johnson's curtailment of our air campaign over North Vietnam. Instead, the response has been to escalate the flow of troops and supplies into South Vietnam.

This is the same answer the President, himself, predicted last February 1. And to use his words of that date:

Of one thing you can be sure: It will cost many more American lives.

The question the people of this country have a right to have answered is just how many more American lives are to be sacrificed before the President orders an effective response to the enemy's escalation?

It is, indeed, time for the policy decision to which the Secretary of Defense made reference.

That policy decision should be in favor of—and never against—our brave men who are bearing the real burden of this war. It should be in favor of reducing—and never increasing—the casualties which these men will suffer.

That policy decision should take fully into account the plan enunciated by North Vietnamese General Vinh:

In fighting while negotiating, the side which fights more strongly will compel the adversary to accept its conditions. We must fight to win great victories with which to compel the enemy to accept our conditions.

If the North Vietnamese policy is to fight and win battles while the talks, which began last Friday, go on, we have no choice except to fight and win those battles. And it is wrong to let down our guard and submit our men and those of our allies to greater casualties in fighting those battles.

Our military leaders have warned that curtailment of our air campaign over North Vietnam would, without reciprocal restraint on the part of the enemy, result in more casualties and a longer war. And the President's own words of February 1 support their position.

As talks move along in Paris, all of us hope and pray that they will swiftly move into meaningful negotiations leading to a just and lasting peace. But the enemy should be made to understand that we are not so interested in talking that we will tolerate abuse of our restraint. If we fail to make this clear, our position during the talks will be severely weakened.

According to reports from Paris, representatives from North Vietnam have opened the talks by insisting on the total cessation of bombing. In the face of clear evidence of Hanoi's escalation following the partial cessation ordered 6 weeks ago we may trust that our representatives will make it clear that instead, we will take action in response to their escalation which will prevent increased casualties to our men.

It is time for the President to take the American people into his confidence and tell them the facts about what North Vietnam has done during the past 6 weeks in violation of his assumption that no advantage would be taken of our restraint.

And it is time for the President to announce a policy decision which will satisfy both the United States and its allies that our men in Vietnam will not be placed in greater peril as a price for talks which, like the truce talks in Korea, can be used by the enemy as a calculated step in inflicting greater casualties upon us.

Mr. President, I ask unanimous consent to have printed in the *RECORD* the various articles to which I have made reference.

There being no objection, the material

was ordered to be printed in the *RECORD*, as follows:

[From the New York Times, May 6, 1968]

BALL LINKS TALKS AND INFILTRATION—HE AND OTHER OFFICIALS SEE EFFORT BY HANOI TO RAISE ITS BARGAINING POWER

(By William Beecher)

WASHINGTON, May 5.—North Vietnam has made a "desperate effort" to rush men and supplies into South Vietnam in the last few months, according to Administration sources who made new figures available today on infiltration.

Officials said that Hanoi was probably attempting to improve its bargaining power for the preliminary peace talks that are expected to get underway in Paris this week.

George W. Ball, who is to become United States delegate to the United Nations, declared on the television program "Meet the Press" on the National Broadcasting Company network that the North Vietnamese infiltration of South Vietnam had totaled 80,000 to 100,000 men so far this year.

SOME GO ELSEWHERE

Defense and State Department officials explained that there was no sure estimate yet how many of those troops entered the war zone and how many were up in Laos and Cambodia and in the demilitarized zone along the line between North Vietnam and South Vietnam.

Administration officials said that the enemy's mortar and rocket assaults against more than 100 targets in South Vietnam was the first discernible large-scale reflection of the build-up.

Despite heavy American air strikes between the DMZ and the 20th Parallel in North Vietnam and along infiltration routes in Laos, they said, reconnaissance pilots report that convoys of 100 or 200 trucks are frequently sighted.

"This is at least two or three times the normal flow," one official said. "We're pounding them as hard as we can, but still they come."

He described the flow as a "desperately high rate of movement."

On infiltration of North Vietnamese combat units, the sources acknowledged some disagreement among intelligence officials. But the predominating view, according to one source, is that 20,000 men—10,000 each month—were seen moving south during January and February. This was said to be 4,000 above the normal monthly flow. The same view holds that 35,000 to 40,000 troops moved south in March and again in April.

Since President Johnson's speech March 31 announcing a curtailment of bombing and bidding for peace calling knowledgeable sources said, there may have been a rise of 2,000 or so in the monthly infiltration rate.

Some sources expressed discouragement at this possible trend, saying that the Administration had hoped that the President's speech would result in some diminution of effort by the North Vietnamese and the Vietcong.

RECALLS 1954 TALKS

In his television appearance, Mr. Ball said that the North Vietnamese "may be following a pattern which they followed once before." He recalled that before the Geneva talks in 1954, the Communist forces mounted a major drive that resulted in the defeat of French forces at Dienbienphu on the day before talks started. Dienbienphu fell May 7, 1954, or 14 years ago Tuesday.

"Now, if they think on the 5th of May, before the talks start on the 10th of May," he said, "that this kind of a military operation is going to result in improving their bargaining position, I think they gravely misconceive the attitude of the United States, the power position of the United States, or the determination of the United States to see an honorable settlement."

By curtailing the bombing of North Vietnam to points generally below the 20th parallel, Mr. Ball said, the United States has taken an act of restraint.

"There should, on the other side, be some kind of reciprocity," he said.

QUESTION OF PATIENCE

Asked how long the United States might be willing to wait before resuming full-scale bombing raids if the talks in Paris failed to show progress, Mr. Ball said that the "farthest thing" from the President's mind was having to expand the bombing, but that he would not want to predict how much patience the United States would demonstrate in Paris.

Despite reports that some high military men have been pressing, behind the scenes, for a resumption of widespread bombing, knowledgeable officials said that the Joint Chiefs of Staff had not made such a recommendation.

"The chiefs are not happy about the unprecedented level of infiltration," one source said. "They have held numerous discussions on its implications. But they have made no recommendation that full bombing be resumed."

[From the New York Times, May 3, 1968]

UNITED STATES NOT SURE HANOI WANTS TO REDUCE PACE OF FIGHTING

(By Max Frankel)

WASHINGTON, May 2.—President Johnson and his senior advisers have come through a month of diplomatic dithering with North Vietnam with no clear idea whether Hanoi is interested in their basic proposition that the two sides move toward negotiations by reducing the level of fighting.

Such movement toward restraint was the most that they hoped for when the President curtailed the bombing of North Vietnam and invited Hanoi to help save lives while contacts were made. The response so far, officials report, strike the Administration as inconclusive.

The fighting in South Vietnam at the moment is heavy because of American offensives. But these are ultimately defensive, reflecting fear of another round of enemy attacks on Saigon, Hue and other cities.

Secretary of State Dean Rusk said today that the enemy was preparing for a major offensive. He told the House Foreign Affairs Committee that such an attack would be "a big setback for the possibility of talks."

CONVERSATIONS INCONCLUSIVE

The conversations in Laos between American and North Vietnamese diplomats have failed so far in two respects; they have neither broken the deadlock about where to hold formal talks nor brought any message that Hanoi wants its military redeployment interpreted as signs of restraint.

Accordingly, the President is said to have reached these tentative conclusions for the immediate future.

He will encourage the already vigorous efforts of third parties—both nations and individuals—to help set a place and time for talks that both Hanoi and Washington could accept without appearing to yield to pressure from the other.

He will resist Hanoi's current demand that talks be held only in Cambodia or Poland, yet without finally rejecting either place. Mr. Johnson's objections to Cambodia or Poland are said to have grown from specific concerns about communications and accessibility to a larger feeling that success in the talks depends upon an initial feeling of comfort by both sides with the arrangements.

He will resist military pressure for a resumption of the bombing of North Vietnam north of the 20th Parallel, at least until there is more persuasive evidence that Hanoi

is stalling to gain military advantages. A menacing increase in the movement of men and supplies into South Vietnam or attacks on such cities as Saigon or Hue would force the President to reconsider the decision to spare Hanoi and Haiphong, officials point out.

He will remain alert for any signal, in formal contacts if they can be arranged or on the battlefield itself, that North Vietnam has its own reasons for wishing to reduce the level of violence.

A reciprocal reduction, by tacit or explicit agreement, has always seemed to high Administration officials to be a more realistic objective for the near future than a formal political settlement resolving the future of South Vietnam.

Despite the emphasis given in the last month to arranging "peace talks," the President himself has always stressed his immediate interest in starting with acts of military restraint.

[From the New York Times, May 2, 1968]
MILITARY MEN SAID TO URGE END OF CURBS
ON BOMBING

(By Hedrick Smith)

WASHINGTON, May 1.—Some senior American military officials are reported to have begun to argue for a resumption of American bombing throughout North Vietnam.

The reports came as a new gesture was made in the diplomatic situation. The White House announced Washington's acceptance of an Indonesian proposal that preliminary talks with North Vietnam be held in neutral waters aboard an Indonesian ship, possibly the heavy cruiser Irian.

The Indonesian proposal was made about two weeks ago by Foreign Minister Adam Malik. The United States officially relayed its acceptance to Jakarta late today.

At the same time, Senator J. W. Fulbright of Arkansas and other members of the Senate Foreign Relations Committee urged the Administration to accept North Vietnam's proposal that preliminary talks be held in Warsaw.

The suggestion was reportedly made during testimony from Under Secretary of State Nicholas deB. Katzenbach behind closed doors. Mr. Fulbright also reportedly suggested that talks could be held in the demilitarized zone on the border of North and South Vietnam, just as the armistice talks during the Korean war were held in the buffer zone there.

"I don't wish to be too critical," Mr. Fulbright told reporters. "The other side is being difficult. But the war is costing so many lives, it seems to me that we should not quibble about a site for talks."

Mr. Fulbright said there were also a number of sites thus far unmentioned by either side, such as Algiers, that might prove satisfactory as a compromise.

Highly placed Administration sources reported that senior military officials contended that the delay over agreement on a site for preliminary talks on Vietnam and reports of heavy infiltration and southward movement of North Vietnamese troops indicated that "Hanoi is not interested in peace."

This argument is reported to have been advanced in recent days by the headquarters of Adm. U.S. Grant Sharp, commander in chief of Pacific forces, who has responsibility for the air war against North Vietnam. It has apparently been supported by the headquarters of Gen. William C. Westmoreland, the American commander in Saigon.

There was no indication, however, that the President was preparing to lift the restrictions he put in force on March 31.

High civilian officials, including Secretary of Defense Clark M. Clifford, have asserted that they are "not aware of any increase in infiltration since the bombing restriction." Others have argued privately against lifting

the restrictions prematurely while diplomatic maneuvers continue.

The White House answer to Indonesia was in keeping with President Johnson's suggestion Nov. 11 for a meeting with North Vietnamese leaders on a "neutral ship on a neutral sea." He made the comment in a speech aboard the carrier Enterprise.

HANOI ASSENT DOUBTED

United States officials privately acknowledged they would be surprised if Hanoi accepted the Indonesian proposal. They offered no explanation of how it would meet American requirements for a site—adequate communications and diplomatic facilities for both sides and access for officials and press representatives of allies in the Vietnam conflict.

But the President, having been accused of reneging on another pledge to go "any place, any time" in search of peace, apparently decided that he could not afford to rebuff the Indonesian proposal in view of his remarks last November.

Administration sources reported that the field commands were contending that North Vietnamese infiltration into the South in the last two months, especially during April, had reached a peak for the war. Some estimates place the infiltration figure for April as high as 20,000 men.

In addition, intelligence reports indicate that the North Vietnamese Army has moved sizable forces and supplies into the southern regions of North Vietnam. This is said to have occurred despite intensified American air attacks in this region since March 31, when President Johnson restricted all Vietnam to the panhandle region, south of the 20th Parallel.

Most recently Hanoi has been replacing heavy losses suffered during heavy fighting late in January and early in February.

But some officials contend that the enemy's need for replacements has created an unusual situation. They also suggest that the President's requirement that Hanoi not take advantage of a halt in bombing was intended to cover only a total suspension, rather than a partial one like the present one.

"This business of infiltration is really not a mathematical problem," one official explained. "It's a political one for the President to decide—whether what Hanoi is doing jeopardizes the peace effort or not."

Secretary Clifford, who has emerged as the President's chief adviser on Vietnam policy, commented yesterday that he had not noticed "any particular increase" in combat activity in South Vietnam since the restrictions went into effect March 31.

[From the Washington Post, Apr. 23, 1968]

BIG ENEMY BUILDUP REPORTED IN VIETNAM

(By Carroll Kilpatrick)

A large build-up of Communist forces in South Vietnam is taking place despite concentrated American bombing attacks in the invading contingents, high Administration officials reported yesterday.

One official said that United States observers had never seen a heavier concentration of truck traffic moving south from North Vietnam than in recent days.

The trucks are said to be carrying men and supplies. Some convoys are moving along the Ho Chi Minh trail in Laos and others are crossing the demilitarized zone that divides the two Vietnams.

So intent have the northerners been on moving forces south that some trucks have been observed with lights on at night, making them easy targets, it was said.

At the same time, the Vietcong reportedly is stepping up its drive to recruit more men in the south.

"There's a feverishness about the efforts to push men and supplies and about the

effort in the south to recruit more men," an official said.

There is no clear conviction here regarding the intent of the Communists in building their forces, which suffered heavy losses during the Tet offensive in January-February and the allied offensive against them that followed.

Some officials believe that the Communist build-up is to prevent demoralization of Communist forces in the south while others believe that the new forces are being prepared for another offensive against the cities.

Still others believe that the build-up is designed to strengthen the Communist hand for any negotiations that may be undertaken in the near future.

Officials here have heard the reports, current the last few days in South Vietnam, that another offensive against Saigon is being planned. But there is doubt here as there is among American officers in Saigon that the enemy has the capability of launching a successful attack against the capital now.

The allied offensive against the Communists, which began in late February, has inflicted heavy casualties on the enemy and pushed him back in many areas.

In addition, the United States and South Vietnamese defense of Khesanh has succeeded and the siege of the base has been lifted, again with heavy casualties inflicted on the Communists, officials claim.

As the North Vietnamese concentrated their forces near Khesanh they became an easy target for air attacks and for artillery fire and suffered severe losses, reports indicate.

The heavy American air attacks reported in the last few days have been aimed at the invading convoys, officials said.

There has been an especially heavy concentration of bombings in the southern panhandle of North Vietnam which is exempt from President Johnson's restrictions on attacks in the north.

[From the Washington Post, Apr. 17, 1968]

WILL HANOI FOLLOW OWN BOOK FOR
A VICTORY BEFORE TALKS?

(By Joseph Alsop)

DANANG, SOUTH VIETNAM.—Here in the headquarters of I Corps and all over South Vietnam, U.S. and Allied commanders and their analysts and operations officers are now debating a rather simple question:

Will Hanoi follow its Own Book, which calls for seeking "victory" at all costs, in the sense of trying for a striking, psychologically transforming success on the battlefield, before any serious negotiations can begin?

The question does not apply, of course, to the stage of talks about talking. The Hanoi bosses' immediate aim is to see whether President Johnson can be horn-swoggled into abandoning the vital bombing of the North Vietnamese Panhandle without an adequate quid pro quo.

If the President and his intelligence advisers want solid proof of the importance of the northern bombing, they need only glance at the ludicrously inadequate rate of enemy artillery fire at Khesanh and along the DMZ during January, February and March. The artillery tubes were there. All the positions along the DMZ from the crucial Cuaviet River supply line westwards to Khesanh itself were, and are, exposed and vulnerable.

If the enemy could have maintained a militarily normal rate of fire—say 7000 to 10,000 rounds a day instead of under 300 on average—a success in the North might perhaps have balanced the failure of the Tet offensive. So the President and Gov. Averell Harriman will make weak concessions on this point at their own dire peril, not to mention the peril of our men in the field.

Looking further ahead, the problem is quite different. As indicated in a previous report

in this space, the U.S. commanders intend to follow the enemy's own program of "Fighting While Negotiating." This is all the more important because of the numerous indications that the Hanoi leaders are preparing another go-for-broke effort like the Tet offensive aimed to attain a "victory" in the special sense set forth above.

These indications are particularly strong here in I Corps, above all in the two most northerly provinces above the strategic Hai-van Pass. The Ashau Valley has been transformed into a major fortified area and stockage point for supply. Great numbers of North Vietnamese engineers have been used to make a truck road through the jungle, Route 547-A, from the Ashau to the vicinity of Hue.

In the two northern provinces or on their fringes, moreover, the enemy already has four North Vietnamese regular divisions, plus the equivalent in North Vietnamese independent regiments of perhaps another division and a half. He is further given the ultimate capability of investing two additional division-equivalents from the North Vietnamese home army.

If he chooses, therefore, he can use these additional division-equivalents to maintain pressure on the DMZ. And he can slide South toward Hue what remains of the two divisions formerly employed at Khesanh.

He can then, in theory at least, mount another attack on Hue in the strength of four divisions—plus, while maintaining some pressure in the rest of the two Province areas. This could also be combined, again in theory, with an attack on Kontum or Pleiku by the regiments of the B-3 Front on the Cambodian border, plus a desperation assault on Saigon with all the remnants of enemy strength in III Corps.

Yet the first question is whether the enemy is any longer realistically capable of attempting this kind of sanguinary gamble that his documents predict, despite all his busy, quite visible preparations. In February, he lost around 48,000 men in killed and crippling wounded; in March, his losses passed 22,000 men, although he was seeking to avoid combat during most of the month; and in the short first week of April, his losses totaled at least 5000 men. Multiply these figures by 10 to get the American equivalents with our very different population base and you will see how terrible the hemorrhage of enemy losses has been.

In March, to be sure, Hanoi made a record infiltration effort; but even if the number of infiltrators is as high as 15,000, they will barely pay the bill for the February losses in I Corps alone.

No wonder, then, that there are reports from all over South Vietnam of VC villages being stripped of their guerrillas; of 12-year-old boys being press-ganged; of VC women cadre being armed, to flesh out the depleted fighting units!

That is one-half of the coin. The other half is the obvious fact that the American and allied forces are not going to sit in passive quiet while the enemy preparations go forward. There will be spoiling operations. There will be major offensive efforts by our side. So one looks from the stern facts of the enemy situation to the stern injunctions of the enemy's book, and no final answer emerges, either about the next round here, or about the negotiating prospects in the future.

[From the Washington Post, May 8, 1968]

NORTH VIETNAMESE INFILTRATION PUT AT 100,000 SINCE TET

(By Chalmers M. Roberts)

More than 100,000 North Vietnamese troops have been sent into South Vietnam since the Tet offensive in January and infiltration during the first five days of May was between 6500 and 7000 men, an Administration official said yesterday.

The figures, the highest yet made public,

were given to the White House correspondents of the Associated Press and United Press International.

Both newsmen reported being told that something will have to be done about the massive movement South. The AP's Douglas B. Cornell wrote that it was being suggested that Gen. William C. Westmoreland and the Administration "are going to have to decide something quickly."

The UPI's Merriman Smith wrote that "officials expressed the view that Westmoreland could not be expected to continue much longer in the face of continually increasing buildup without demanding the right to interdict the Red infiltration routes."

At present infiltration routes are being heavily bombed along the Ho Chi Minh trail in Laos and in North Vietnam up to the 19th parallel. The implication of the statement yesterday was that bombing might be resumed further North, a reversal of President Johnson's March 31 limitation which led to the impending Paris talks with North Vietnam.

It has been widely reported that the North Vietnamese stepped up their infiltration after the Tet offensive which began on Jan. 31. But as late as last Wednesday Defense Secretary Clark M. Clifford said that he was "not aware of any increase in infiltration" since Mr. Johnson's March 31 speech.

However, last Sunday, George W. Ball, the new ambassador to the United Nations, said that infiltration toward and into the South had run between 80,000 and 100,000 in the last four months, presumably January through April, with April the highest month on record.

The two newsmen yesterday were told the April figure was 35,000 and that this was about 7,000 more than in March, the previous high.

The AP account said that "the whole situation poses what some officials consider to be the gravest problem now confronting the nation."

The new figures presumably were discussed, along with what should be done about it, at the White House lunch attended yesterday by the President, Clifford, Secretary of State Dean Rusk, Gen. Earle C. Wheeler, Chairman of the Joint Chiefs of Staff, and CIA Director Richard Helms.

The AP dispatch spoke of "possible retaliatory steps" while the UPI referred to possible "difficult military decisions."

Both newsmen wrote of concern that Hanoi is showing no sign of military restraint on the eve of the talks in Paris. It is widely believed in Washington, by sources other than the one quoted by the wire services, that the Communists hope to influence the Paris talks by gains on the battlefield. The American hope likewise is to be in a strong position by virtue of military successes.

Having finally almost reached the conference table, it would be difficult to resume full bombing of the North, many officials here feel. Some believe that step would lead Hanoi to break off the talks.

Thus it was uncertain whether yesterday's release of figures, even though they can only be approximate because of the difficulty in estimating infiltration, was a psychological warfare step to impress Hanoi or to be the forerunner of some new American military move.

Meanwhile, the State Department released the official list of American delegates to the Paris talks, most of whom will fly there on Thursday. Led by Ambassador at Large W. Averell Harriman, the group includes Ambassador Cyrus R. Vance, Lt. Gen. Andrew Goodpaster, due to be the number two military commander in Vietnam next month, Philip C. Habib, a deputy assistant secretary of state and former political officer in the Saigon embassy, William Jorden of the White House staff who will handle press relations, and Daniel I. Davidson, Harriman's special assistant.

[From the New York Times, Apr. 21, 1968]

VIETNAM II: VIEW ON WAR—THE GENERALS BRACE FOR NEW ATTACKS

SAIGON, SOUTH VIETNAM.—Wherever top-ranking military officers gather in Saigon these days you hear them mention "late May or June." The words do not refer to the opening of the summer season (Saigon is already sweltering) but to heat of a different kind—the next major offensive by the enemy.

Increasingly, the United States command is becoming convinced that the enemy is taking a massive time-out from battle to rebuild and resupply the units that were battered during the Tet offensive. They expect him to be ready for another offensive by late May, and they are expecting him to launch it soon after.

"I don't think he'll wait much longer than June to attack," one general reflected last week. "He's got to attack then if he wants to have any impact on the political conventions back home and if he wants to improve his bargaining position at the peace talks."

Few, if any, high-ranking officers expect the current peace moves to lead to an immediate cessation of the war. Again and again they point out that in Korea the hardest fighting came after peace talks began. Thus, for the military command, the question is not *whether* the enemy will launch a new offensive, it is *when*.

To prevent the enemy from making extensive preparations for an attack, allied forces are moving steadily on the offensive—trying to keep the enemy on the run, trying to prevent him from stopping long enough to rebuild and regroup.

MAJOR OPERATIONS

In recent weeks the allies have launched major "search and destroy" operations repeatedly—Operation "Complete Victory" in the Saigon area, Operation Pegasus around Khesanh, plus still other large operations in the Mekong Delta and in the region between Hue and the demilitarized zone. Field commanders say the enemy is falling back in every area in accordance with his traditional policy of fighting major battles only on battlegrounds which he—and not the allies—chooses.

The allies are also stepping up their air attacks on North Vietnamese supply lines and troop movements between the demilitarized zone and the 20th Parallel and on suspected enemy base areas throughout South Vietnam. The 20th Parallel is the northern limit of the bombing officially set by President Johnson, but most of the raids have been kept below the 19th Parallel.

Since April, for example, eight-engined B-52 bombers have struck 61 times in the Ashau Valley, which is suspected of being a Vietcong staging area for possible attacks on Danang, South Vietnam's second largest city, and on the ancient city of Hue. During the raids the bombers dropped about 20 million pounds of explosives.

BOMBING NOT REDUCED

It has also become clear that President Johnson's partial bombing pause has not reduced the amount of bombing in North Vietnam. It has simply diverted the bombing from heavily populated areas to the sector between the demilitarized zone and the 19th Parallel. Last Thursday American fighter-bombers carried out 145 raids in the area just north of the DMZ in the largest single-day attack on North Vietnam this year.

Thus it is obvious that the new talk of peace has not caused the allies to de-escalate the war. And allied commanders say it is equally obvious that North Vietnam and the Vietcong are not relaxing.

"They're bringing troops and ammunition into South Vietnam at the maximum rate," one general said. "They have to be preparing for something. That's why we are keeping after them."

Although the military command is convinced the enemy will try another major offensive, members of the command are not in agreement on where the attack might come.

"The enemy is flexible at this point," said a high-ranking intelligence officer. "He could bring tanks to bear on Giolinh and other points along the eastern end of the demilitarized zone. He could attack at Danang or Hue, or in the central highlands, or Saigon."

GENE ROBERTS.

[From the Washington Sunday Star, Apr. 14, 1968]

HANOI BUILDUPS MAKE UNITED STATES WARY OF PEACE TALKS

(By Carl T. Rowan)

The United States is moving into preliminary peace talks with North Vietnam with some hope and considerable uneasiness.

The Johnson administration is literally praying that the door has been opened to honorable withdrawal from a war that has bitterly divided the American people.

But there is growing uneasiness over the following evidence that the Communists may be suckering the U.S. into giving them a needed breather:

1. Aerial photographs and other intelligence reports indicate a sharp increase in the infiltration of men and arms from North Vietnam into the South since President Johnson curbed bombing attacks on the North.

2. In the last several days the Communists have carried on a relentless recruiting drive in the countryside of South Vietnam.

3. Communist military buildups are under way in the western highlands, on the coast near Danang and Quang Tri, and in areas near Saigon. Some American analysts predict heavy Communist assaults in one or all of these areas within the next two weeks.

Fear of heavy new Communist attacks is based largely on the assumption that Hanoi will attempt to use military forays to bolster its bargaining position in any peace talks that take place.

Gen. William Westmoreland reported to President Johnson that the Communists have been so "clobbered" during the last three months and have suffered such "fantastic" losses that they must beef up their units first.

Westmoreland bolstered his contention that the Communists are "hurting" militarily by citing evidence gathered by Allied units moving in to relieve long-beleaguered Marines at Khe Sanh.

Reports of mass Communist graves, and stories told by Communist prisoners, are cited as evidence that raids by huge B-52 bombers and other U.S. aircraft took an extremely heavy toll of the enemy.

This presumably is why the Communists pulled back, making it relatively easy for the allies to reinforce the Khe Sanh garrison.

Fearful of new Communist offensive, the U.S. has made it clear that "two can play that game" of fighting while talking.

We have also warned indirectly that efforts to exploit the peace talk atmosphere by seeking a military advantage could quickly end the peace talks.

Some Americans believe that this argument will have some impact in Hanoi, for they believe that Hanoi wanted peace talks badly enough to go against the gentle urging of the Soviet Union and the strong warnings of Red China.

The Soviets have given the impression that they have pressured Hanoi to be reasonable and enter peace talks. American officials insist that this is not so—that Russia adopted what can at best be called a "hands-off" policy.

Yet, these same Americans concede that they only guess, surmise, speculate about some of the diplomatic shenanigans going on in the dark reaches of the Communist bloc.

The one thing they are sure of is that the

next few weeks will constitute an extremely delicate period for those seeking a peaceful resolution of the conflict in Southeast Asia.

For if these talks collapse because of Communist perfidy, the road back to the peace table could be a rocky one, indeed.

Mr. MILLER. Mr. President, in the Washington Post's Outlook section for yesterday, May 12, there is published an excellent article written by the distinguished and very knowledgeable columnist, Joseph Alsop, entitled "Press Can't Win in Vietnam War."

Mr. Alsop, as a longtime journalist, points out what should have been pointed a long time ago, that some well-meaning journalists have, in their writings and editorials, brought about an impression on the part of the general public that the war in Vietnam cannot be won.

As Mr. Alsop is adept at doing, he has dissected the arguments and rebutted them, in my opinion, most forcefully. He has pointed out that the war in Vietnam can, indeed, be won.

Mr. President, in view of his knowledge of Asia and his longtime experience there, as well as his longtime record as an outstanding American journalist, I believe that his views merit the attention of those who read the CONGRESSIONAL RECORD, and I ask unanimous consent to have the article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, May 12, 1968]

PRESS CAN'T WIN IN VIETNAM WAR

(By Joseph Alsop)

Because of the Vietnamese war, the American press and its allied media now appear to be between a very rough rock and a very hard place. For a newspaperman who remembers with relish and some pride no less than 36 years of active reporting, it is a dreadful thing to have to say. Yet if we win the war, as I still think we shall, both the press and the allied media will certainly look inconceivably foolish. And if we lose the war, the press will just as certainly be blamed—whenever the horrible inquest begins that will surely follow the first defeat in war in American history.

There you have both rock and hard place, simply and crudely defined. Both the hard place and the rock result from the tone and character of the reporting from Vietnam, of the endless published analyses of Vietnamese developments, and of the interminable editorializing about the war, by all but a minority of those engaged in these pursuits. This does not mean for one moment that the vast majority of reporters, editorial writers and the rest are not courageous, industrious and honorable men, who have sought to tell the truth according to their lights. But it does mean that for one reason or another, to which I shall try to come later, the part of the truth most of them have told has conveyed an exceptionally misleading picture of the whole truth.

The easiest way to gauge how totally misleading that picture has been is to glance at the amazing letter that Arthur Schlesinger Jr. published on March 22 in The Washington Post. The letter was a plea, no doubt honestly anguished, for the immediate evacuation of Khesanh. Schlesinger began by accusing Gen. William C. Westmoreland of "repeating the fatal error of the French (by placing) a large body of troops out in the hills where they can be surrounded and cut off." This, exclaimed Schlesinger, "is precisely what we have succeeded in doing at Khesanh. Today, 5,000 American soldiers are

surrounded and cut off by 20,000 of the enemy, every night creeping and burrowing further in toward their target."

DISMISSED WESTMORELAND

Putting on a borrowed Field Marshal's hat, Schlesinger then explained that no "people in their senses" could possibly "suppose that airpower will now 'save' Khesanh in case of attack." He contemptuously dismissed General Westmoreland as a "tragic and spectacular failure." He included the usual sneer at President Johnson. And so he reached his grand climax, as follows:

"Yes: airpower is one vital difference between Khesanh and Dienbienphu. For, if airpower cannot save Khesanh, it may still save the men in Khesanh. Let us (use airpower to evacuate Khesanh), before enemy anti-aircraft batteries interdict our flights, before enemy mortars destroy our landing strip, before enemy shock troops overrun the base. Let us not sacrifice our brave men to the folly of generals and the obstinacy of Presidents."

In short, Schlesinger was firmly convinced, as late as March 22, that Khesanh and its defenders were sure to be overrun. If his conviction had not been absolute, he would hardly have risked writing such a letter, which he can hardly look back upon today without novel self-doubts. But—and here is the rub—much of the American press and most of the allied media need only read the Schlesinger letter to see themselves, as in a mirror. He was perhaps overeager to believe the worst, and he seems to have taken very poor military advice. But he was above all misled by his informants; and his chief informants, one may be sure, were the front pages and the television shows. "The agony of Khesanh" was one of the current phrases, and others might be cited.

TEDIOUS BATTLE

What, then, was it really like, and what actually happened? To begin with, Khesanh was no more agonizing, though it was a damned sight more tedious and long drawn out, than any other combat experience. We had four battalions in Khesanh—the 26th Marine regiment plus a battalion of the 9th Marines—and the South Vietnamese, of whom Schlesinger appears not to have heard, had the equivalent of two battalions. Like any battle, Khesanh produced its honored dead, for that, alas, is what battles always do. But between the beginning and the end of the siege, the American units at Khesanh actually lost, in killed, not many more than 200 men, whereas a single battalion of Marines lost 70 killed—about one third of the comparable losses of four battalions at Khesanh—in the recent hard and heroic fight for Daido, which lasted only a few days.

At Khesanh, again, the American casualties mainly resulted from enemy artillery and mortar fire, rather regularly described as "infernals of incoming." And this was a fairly curious phrase for an enemy rate of fire that averaged only 192 artillery and mortar rounds per day throughout the siege. When I was there for a bit more than a day, for instance, the Khesanh base took 154 incoming rounds. That was a bit below average, but it is still worth noting that except for four badly misaimed rounds fired at the landing zone when I was waiting for a departing helicopter, I actually heard a grand total of three incoming rounds. And despite other infirmities, I am not yet deaf, and the tough and able Khesanh commander, Colonel David Lownds, kindly allowed me to accompany him on a long tour on foot around the whole big base, with the exception of South Vietnamese positions and the hill-outposts held by our Marines beyond the perimeter.

FAILURE OF GIAP

The truth is, indeed, that one of the major but untold stories of Khesanh was the astonishing failure of General Vo Nguyen Giap's logistical planning for his artillery.

Besides mortars, Giap had caused to be emplaced, with infinite labor, a minimum of 210 artillery tubes—some estimates go as high as 370 tubes—on a long arc from Co Roc in Laos, along the DMZ, to Cap Mui Le on the coast, Giap had the guns, in short; but at Khesanh and along the DMZ his really ludicrous average rate of artillery fire, again excluding mortars, was less than one round per gun per day in the period of the siege.

Nor is that the end of the story, by any means. On March 21, the day before Schlesinger published his letter the last of the serious assaults on Khesanh was attempted. It failed in a most sanguinary fashion because of our Marines' courage and the terrible power of our air and artillery. There were either three, or four, or five such attempts in the course of the siege—the number is disputed among the Marines themselves—and all failed in the same manner.

The failure of the last assault, so beautifully coordinated with the Schlesinger letter about Khesanh being "over-run," seems to have been the signal for the withdrawal into Laos of one of the two besieging North Vietnamese divisions, the 325C. This was, in fact, the beginning of the end of Giap's ambitious plan. Despite the inability of "people in their senses" to imagine anything of the sort, air power was already starting to break the Khesanh siege when Schlesinger wrote his letter; for it was the air that hurt the enemy most cruelly and forced the 325C to withdraw to lick its wounds. The situation of the besiegers at that time can be gauged from one of the pitiful little diaries that the North Vietnamese troops quite often keep. The diary, of a private named Vu Xuan Mau, was picked up outside the Khesanh perimeter after the siege was formally and finally broken in the first days of April. Mau's last entry was: "At Khesanh on March 23, a day full of bitter hardships and bloodshed."

MASS BURIALS DISCOVERED

The agony of Khesanh was in reality experienced, not by our brave, hardy but relatively fortunate men in the combat base, but by the unhappy wretches like Private Mau. They were condemned to endure close on three months of incessant and terrible B-52 strikes, plus other air attacks, plus the kind of artillery fire that is maintained by U.S. guns with full logistical support. And what they endured took a fearful toll.

When the 1st Battalion of the 9th Marines moved out from the perimeter on April 4, prisoners of war immediately began to be taken, documents far more important than poor Mau's diary began to be found, and mass burials began to be discovered. The most careful analysis of all the resulting data has now revealed that the two enemy divisions at Khesanh, the 325C and the unfortunate 304th, which had to hang on to the end, almost certainly lost a total of about 10,000 men in the course of the siege. And in the grim mathematics of war, an exchange of 200-plus Americans (and a proportional number of South Vietnamese) against 10,000 North Vietnamese regulars, is the very opposite a "tragic and spectacular failure."

Once again, moreover, that is by no means the end of the story. Unless General Vo Nguyen Giap is stark, staring mad, the siege of Khesanh was unquestionably no more than one part of a much larger, more ambitious military plan, the Tet offensive. And we should give thanks on bended knee that General Giap saw fit to tie up two of his divisions at Khesanh as part of his Tet plan. In the entire morass of nonsense published about Tet, very little indeed has been said about the one really dangerous situation that the offensive temporarily produced.

This was in the two most northerly provinces of South Vietnam. Here much was written about the long, rough battle for Hue; but almost no attention was given to the

disturbingly precarious supply situation caused by bad weather, the weight and persistence of the enemy attack, and the resulting breaks in all the usual supply lines. The position might well have become really unmanageable—the two most Northerly provinces might even have been partly overwhelmed—if Giap had massively increased the weight of his attack in the two-province area, by using the two divisions that were fruitlessly tied up at Khesanh.

TOO LITTLE, TOO LATE

He saw his error soon when the Hue fighting began. He took two battalions apiece from the two divisions at Khesanh, and he marched them south to aid his troops at Hue; but this was too little and too late. Whereas if General Westmoreland had not committed that "tragic and spectacular" error of refusing to abandon Khesanh, two additional North Vietnamese divisions would have been freed, pre-Tet, for other uses in the two Northern provinces; and if that had happened, the consequences would surely have been grave.

Compare, then, these hard facts concerning Khesanh and the fighting there with the picture of Khesanh conveyed by Arthur Schlesinger, who is, after all, an exceedingly intelligent albeit a violently partisan man. Remember, too, that this disparity between the reality in Vietnam and the picture given to the folks back home has been a standard phenomenon throughout much of the war. Countless examples might be cited, but one more must suffice. The most instructive, probably, is the constant denigration of ARVN that was a pre-Tet fashion in large sectors of the American press. This even earned a mention in dispatches by General Westmoreland for the newspaper that claims preeminence and one of the leading agency reporters in Vietnam.

In a message to the Defense Department, General Westmoreland addressed himself to one of the real puzzles of the Tet offensive: how on earth General Giap could have based his whole plan on the stated expectation of a "general uprising" by the urban population and of widespread defections among the ARVN units. On the second point, General Westmoreland noted that Giap had demonstrably been lied to, on an enormous scale, by the special "troop proselytizing" apparatus of the VC. But he added that he could hardly blame General Giap for being deceived, since the lies of the VC "troop proselytizing" apparatus had appeared to be so largely confirmed by the great American newspaper and the famous press association mentioned above. With mild irony, he concluded that these latter must now appear in Hanoi as important participants in a big American deception plan—for there were no defections anywhere, and almost all the ARVN units, though understrength because of the national holiday, fought very well indeed at Tet.

R. F. K. SPEECH BRINGS ANGER

Meanwhile, however, the denigration of ARVN had already fed back into the American political scene. In a Senate speech, for instance, Sen. Robert F. Kennedy described the South Vietnamese troops as "skulking and malingering" while our Marines carried the burden of the battle for Hue. The news of the Senator's speech reached Vietnam while I was in I Corps, and I have rarely seen angrier men than the Marine officers who had fought in Hue along with South Vietnamese. Nor was this surprising. In their impact on an obstinate enemy, and in the sacrifices they made themselves, the South Vietnamese in the Hue battle performed almost identically with our own Marines.

They had, for example, 7704 men engaged and they took 2134 casualties, suffering losses almost exactly proportional to our losses which were happily quite substantially smaller, since we had substantially fewer men engaged.

Furthermore, the South Vietnamese in Hue were fighting under heavy handicaps, as compared with our men. They almost wholly lacked the tanks and other big weapons that gave our units much greater organic firepower. Their arrangements for replacements were much more primitive than ours; and after the first days of sharp contact, not a few ARVN battalions had to fight on, and did fight on, after they had been reduced to 200 men or less. Furthermore, they were frequently called upon to attack, and regularly did attack, when they had to traverse over a hundred yards of the enemy's field of fire before they could bring their own weapons to bear.

That highlights another point of great significance, that was wholly omitted from the pre-Tet denigrations of ARVN. Briefly, General Westmoreland saw trouble ahead, and asked for M-16 rifles and other improved equipment for ARVN as long ago as 1965. For budgetary reasons, apparently, action on Westmoreland's request was long deferred by Secretary of Defense Robert S. McNamara. Thus, on the one hand, the ARVN units have always been immeasurably weaker than our units, in organic firepower, in all sorts of back-up resources, and above all, in mobility—and they will still be much weaker, despite the M-16 rifles that are now being provided at long last. And on the other hand, there was a long period when the ARVN units even had substantially less firepower than the newly re-equipped VC and North Vietnamese units.

KOREAN STORY AGAIN

Here we have the story of Korea all over again; for the Korean divisions were also denigrated during much of the Korean war, whereas their main weakness arose from the simple fact that they had been grossly underarmed by their American suppliers. This does not mean, to be sure, that ARVN has ever been an ideal army, or that better weapons and more mobility will automatically make ARVN into an ideal army. When President Johnson finally intervened in earnest in Vietnam, ARVN was already a defeated army, and every ARVN officer knew as much. It takes some time to bring back a defeated army to a state of self-confident proficiency. It takes even more time, too, to implant a fully modern military system in a traditional Asian society; and this process was not really completed in Korea until President Chung Hee Park finally came to power. Patience is always needed in such matters. But instead of patience we have too often had the kind of shameful injustice Senator Kennedy was led to commit.

When I ask myself why Sen. Kennedy and so many others have been so regularly misled on so many key points concerning the war, I confess to a certain bewilderment. The fashions of the moment certainly have much to do with it. What has happened in Vietnam in this war resembles, on a vastly larger scale, what happened in the press hostel in Chungking in the war years in China. The fashion then was to make heroes of those virtuous agrarian reformers, Mao Tse-tung and his bloody-minded friends; and just about the only American reporter to avoid making an ass of himself by refusing to follow the fashion was Arch Steele of the old "Herald Tribune." Then too, in the Dien years in Vietnam, certain newspapers acquired what can only be called a vested interest in disaster; and since these were the Saigon bureaus with the greatest continuity, they had great leverage with later-comers. Then again, among younger newspapermen particularly, there is a strange new theory that all American officials and most American military officers are joined together in vast conspiracy to gull the home folks, which it is the reporter's duty to attack and expose, as though he were attacking and exposing corruption in City Hall. It seems an odd ap-

proach to an American war, but it is certainly there.

NOT A HOPELESS WAR

This does not mean for one moment that the pessimists have always been wrong, or that the minority of optimists have always been right. As I look back over my own coverage of the war, I think I have been broadly right about the war's larger patterns, both when I was very much more gloomy than any of my colleagues in the year prior to the American intervention, and after the intervention when I have been more hopeful than most. On the other hand, although I think I got the patterns right, I am well aware that I have sometimes been over-optimistic about the war's timeframes—in part, as over-reaction to the sort of stuff that was so widely written about Khesanh. Yet the fact remains that this has never been, and it is not now a hopeless and unending war; and conveying just this impression has been the main thrust of far too much of the reporting, analyzing and editorializing.

So we get back to that rock and that hard place. Concerning the hard place, it must first of all be remembered that the Hanoi war-leaders' aim has always been to win the war in Washington, by the impact in America of their seeming success in Vietnam, just as the Viet Minh won the French war in Paris rather than at Dienbienphu. Here it is worth noting that the official Hungarian Communist newspaper sometime ago published extracts from a strikingly interesting lecture on Dienbienphu, given by General Vo Nguyen Giap during a visit to Hanoi by Hungarian Foreign Minister Endre Sik.

"The battle of Dienbienphu," Giap was quoted as saying, "was essentially the last desperate exertion of the Viet Minh . . . Had we not been victorious there . . . our armed forces were on the verge of complete exhaustion . . . We had to put everything on one card." There are many reasons for believing, and Douglas Pike and all the other truly informed analysts in fact believe, that the motives for the Tet offensive were that Hanoi was in serious danger of losing the war of attrition, and therefore "had to put everything on one card." A major publication that at first reported the Tet offensive in the most lurid and gloomy terms, more recently came round to the view that Tet was a military defeat but a "psychological" success for the enemy. Yet if Tet was a "psychological" success, this was almost solely because the offensive's military motives, its true military results and most of its local effects were in the main painted in colors in America that had few recognizable links with the basic realities in Vietnam.

TO DESPERATE LENGTHS

That was the reason, of course, why Tet was so profound a shock to American opinion. Having put so much "on one card" at Tet, the Hanoi war planners are plainly going to the most desperate lengths, in order to try the same thing all over again. What the outcome will be, and above all, how it will be represented here at home, none can foretell. What the Hanoi war leaders will do if their next attempt fails or is aborted, also cannot be foretold precisely—although it is clear that they will then be in very bad trouble in South Vietnam.

Again, one cannot foretell with precision the effect of the talks, the partial bombing halt, and any future extension of the bombing halt, either in time or in area—but it is clear that the Hanoi war leaders are already beginning to exploit to the full the reduction of pressure, the release of resources by the partial bombing halt and the general easing of their situation that these factors have produced. Unless the President is very firm and very clear-minded, all this may perhaps produce exceedingly worrying consequences on the battlefield, at any rate for a certain period.

The main thing is that the war-situation has at length begun to have a strongly climatic smell. Hence, if the American people have the sturdiness and resolution not to imitate the French, an acceptable end of the war should therefore come into sight eventually, whether at the negotiating table or in other ways. Meanwhile the trouble is that a near-French mood, God save the mark, has been created in many quarters in America. But if this mood leads to final defeat, and there is a subsequent inquest—as there will surely be—the inquest cannot take the form it did last time. There will be no unlucky foreign service officers to serve as convenient victims, although they had far less influence on events and displayed considerably better judgment than most of the denizens of the Chungking press hostel. In the next round (which Heaven forbid), the press and the allied media can hardly avoid being front and center. And if there is a next round, the American people's notable distaste for defeat in any form will probably insure even more injustice and ugliness than we experienced in the last round.

So I can only hope that instead of the hard place we get the rock—which means a great many people looking idiotically silly because we have finally won the war they said could not be won.

COMMITTEE MEETING DURING SENATE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate today.

The PRESIDING OFFICER. Without objection, it is so ordered.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The PRESIDING OFFICER announced that on today, May 13, 1968, the Vice President signed the following enrolled bills and joint resolutions, which had previously been signed by the Speaker of the House of Representatives:

S. 391. An act to amend the act of March 1, 1933 (47 Stat. 1418), entitled "An act to permanently set aside certain lands in Utah as an addition to the Navajo Indian Reservation, and for other purposes";

S. 528. An act to place in trust certain lands on the Wind River Indian Reservation in Wyoming;

S. 948. An act for the relief of Seaman Eugene Markovitz, U.S. Navy;

S. 1147. An act for the relief of Mariana Mantzios;

S. 1173. An act to convey certain federally owned lands to the Cheyenne and Arapaho Tribes of Oklahoma;

S. 1180. An act for the relief of Ana Jacalne;

S. 1395. An act for the relief of Dr. Brandia Don (nee Frasnchik);

S. 1406. An act for the relief of Dr. Jorge Mestas;

S. 1483. An act for the relief of Dr. Pedro Lopez Garcia;

S. 1490. An act for the relief of Yang Ok Yoo (Maria Margurita);

S. 1828. An act for the relief of Susan Elizabeth (Cho) Long;

S. 1829. An act for the relief of Lisa Marie (Kim) Long;

S. 1918. An act for the relief of Dr. Gabriel Gomez del Rio;

S. 1946. An act to amend the repayment contract with the Foss Reservoir Conservancy District, and for other purposes;

S. 1968. An act for the relief of Dr. Jose Ernesto Garcia y Tojar;

S. 2005. An act for the relief of Dr. Anacleto C. Fernandez;

S. 2022. An act for the relief of Dr. Mario Jose Ramirez DeEstenoz;

S. 2023. An act for the relief of Virgilio A. Arango, M.D.;

S. 2078. An act for the relief of Dr. Alberto De Jongh;

S. 2132. An act for the relief of Dr. Robert L. Cespedes;

S. 2139. An act for the relief of Dr. Angel Trejo Padron;

S. 2149. An act for the relief of Dr. Jose J. Guizar;

S. 2176. An act for the relief of Dr. Edgar Reinaldo Nunez Baez;

S. 2193. An act for the relief of Dr. Alfredo Jesus Gonzalez;

S. 2256. An act for the relief of Dr. Margarita Lorigados;

S. 2285. An act for the relief of Gordon Shih Gum Lee;

S. 2301. An act for the relief of Dr. Francisco Guillermo Gomez-Inguanzo;

S. 2381. An act for the relief of Dr. Jesus Adalberto Quevedo-Avila;

S. 2403. An act for the relief of Dr. Teobaldo Cuervo-Castillo;

S. 2404. An act for the relief of Dr. Heriberto Jose Hernandez-Suarez;

S. 2489. An act for the relief of Dr. Jesus Jose Eduardo Garcia;

S. 2531. An act to designate the San Gabriel Wilderness Angeles National Forest, in the State of California;

H.R. 14681. An act to declare a portion of Boston Inner Harbor and Fort Point Channel nonnavigable;

S.J. Res. 129. Joint resolution to authorize the Secretary of Transportation to conduct a comprehensive study and investigation of the existing compensation system for motor vehicle accident losses, and for other purposes; and

H.J. Res. 1234. Joint resolution to provide for the issuance of a gold medal to the widow of the late Walt Disney and for the issuance of bronze medals to the California Institute of the Arts in recognition of the distinguished public service and the outstanding contributions of Walt Disney to the United States and to the world.

MESSAGES FROM THE PRESIDENT—

APPROVAL OF BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries, and he announced that on May 10, 1968, the President had approved and signed the act (S. 1909) to provide for the striking of medals in commemoration of the 100th anniversary of the completion of the first transcontinental railroad.

REPORT ON ADMINISTRATION OF HIGHWAY SAFETY ACT OF 1966— MESSAGE FROM THE PRESIDENT (H. DOC. NO. 311)

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Public Works:

REPORT ON ADMINISTRATION OF HIGHWAY SAFETY ACT OF 1966— MESSAGE FROM THE PRESIDENT (H. DOC. NO. 311)

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Public Works:

To the Congress of the United States:

I am pleased to transmit the first annual report on the administration of the Highway Safety Act of 1966.

Each year, more than 50,000 Americans die on our highways. Millions more are injured. Billions of dollars are lost by

death, disability, and protracted stays in hospitals.

This report, which covers the period from September 9, 1966, to December 31, 1967, shows that we have begun to take effective action to stem this terrible tide.

During this period

—We established a National Highway Safety Bureau.

—We issued highway safety standards.

—All 50 States received Federal grants-in-aid to help them and local communities to improve their highway safety programs.

—A broad research program has begun, which will provide sound guidelines for future safety standards.

The fight to stop the slaughter on our highways will be long and hard. I hope the Congress will be encouraged by this report to continue its strong support of these vital programs.

LYNDON B. JOHNSON.

THE WHITE HOUSE, May 13, 1968.

REPORT ON ADMINISTRATION OF THE NATIONAL TRAFFIC AND MOTOR VEHICLE SAFETY ACT OF 1966—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 310)

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Commerce:

To the Congress of the United States:

This year, we can expect 53,000 Americans to die on our Nation's highways.

We can expect almost 4 million Americans to be injured in automobile accidents—nearly 10,000 people hurt every day.

We can expect automobile fatalities to be the largest cause of death in the 15 to 35 age group.

Year after year, those expectations become gruesome reality.

In 1966, we took our first major step to combat this shameful waste. And now I am pleased to transmit to the Congress the first annual report of the National Traffic and Motor Vehicle Safety Act of 1966.

This report covers the period between September 9, 1966, and December 31, 1967, and I believe it shows a promising beginning.

During this period

—Two hundred safety-related recall campaigns were conducted by the motor vehicle industry.

—The first Federal motor vehicle standards in history were issued and are already in application on all cars manufactured after January 1 of this year.

—Additional standards were issued for vehicles manufactured after January 1, 1969.

—A sound research program has been begun, to provide a firm basis for future safety standards for vehicles and for State safety programs.

Our efforts are beginning to tell: the rate of increase of traffic deaths has slowed somewhat. Still, the destruction wrought by Americans on themselves,

their fellow citizens, and their property is of tragic proportions.

I hope that this report will encourage the Congress to continue its support for these programs, and I commend it to your attention.

LYNDON B. JOHNSON.

THE WHITE HOUSE, May 13, 1968.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had passed a bill (H.R. 16911) to provide for U.S. participation in the facility based on special drawing rights in the International Monetary Fund, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills; and they were signed by the Vice President:

S. 1119. An act to grant minerals, including oil and gas, on certain lands in the Crow Indian Reservation, Montana, to certain Indians, and for other purposes; and

H.R. 14940. An act to amend the Arms Control and Disarmament Act, as amended, in order to extend the authorization for appropriations.

HOUSE BILL REFERRED

The bill (H.R. 16911) to provide for U.S. participation in the facility based on Special Drawing Rights in the International Monetary Fund, and for other purposes, was read twice by its title and referred to the Committee on Foreign Relations.

REPORT OF U.S. INFORMATION AGENCY

The PRESIDING OFFICER laid before the Senate a letter from the Director, U.S. Information Agency, transmitting, pursuant to law, a report of the Agency for the fiscal year 1967, which, with an accompanying report, was referred to the Committee on Government Operations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CANNON, from the Committee on Rules and Administration, with amendments: S. Res. 13. A resolution to amend rule XXV of the Standing Rules of the Senate (Rept. No. 1116).

By Mr. LAUSCHE, from the Committee on Commerce, with an amendment:

S. 758. A bill to amend the Interstate Commerce Act to enable the Interstate Commerce Commission to utilize its employees more effectively and to improve administrative efficiency (Rept. No. 1117).

REPORT ENTITLED "LOG-EXPORTING PROBLEMS"—REPORT OF A COMMITTEE (S. REPT. NO. 1118)

Mr. BYRD of West Virginia, Mr. President, for the chairman of the Subcommittee on Retailing, Distribution, and

Marketing Practices of the Select Committee on Small Business [Mr. MORSE], I submit a report entitled "Log-Exporting Problems," and ask that it be printed.

The PRESIDING OFFICER. The report will be received and printed, as requested by the Senator from West Virginia.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GRUENING:

S. 3475. A bill for the relief of Sul King Yu, Kam Woon Leung, Yan Wo Lam; to the Committee on the Judiciary.

By Mr. GRUENING (for himself and Mr. YARBOROUGH):

S. 3476. A bill to amend section 1677 of title 38, United States Code, in order to require that the educational assistance allowance for flight training be paid on a monthly rather than quarterly basis; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. GRUENING when he introduced the above bill, which appear under a separate heading.)

By Mr. GRUENING (for himself, Mr. YARBOROUGH, Mr. HART, Mr. KENNEDY of New York, and Mr. HATFIELD):

S. 3477. A bill to amend chapter 34 of title 38, United States Code, in order to authorize educational assistance loans to veterans to supplement educational assistance allowances paid to such veterans under such chapter, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. GRUENING when he introduced the above bill, which appear under a separate heading.)

By Mr. MCGOVERN:

S. 3478. A bill for the relief of Dr. Jose C. Michiell; to the Committee on the Judiciary.

By Mr. BYRD of West Virginia:

S. 3479. A bill to amend the Food Stamp Act of 1964, as amended; to the Committee on Agriculture and Forestry.

By Mr. TOWER:

S. 3480. A bill to amend the Internal Revenue Code of 1954 to include the sintering and burning of clay, shale and slate used as lightweight aggregates as a treatment process considered as mining; to the Committee on Finance.

(See the remarks of Mr. Tower when he introduced the above bill, which appears under a separate heading.)

By Mr. HARRIS (for himself and Mr. MONRONEY):

S. 3481. A bill to further extend the period of restrictions on lands of the Quapaw Indians, Oklahoma, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. HARRIS when he introduced the above bill, which appear under a separate heading.)

By Mr. TOWER:

S. 3482. A bill to provide financial assistance to certain local governments; to the Committee on Banking and Currency.

(See the remarks of Mr. Tower when he introduced the above bill, which appear under a separate heading.)

By Mr. BENNETT (for himself, Mr. BAKER, Mr. CURTIS, Mr. DIRKSEN, Mr. EASTLAND, Mr. FANNIN, Mr. HATFIELD, Mr. HICKENLOOPER, Mr. HOLLAND, Mr. HRUSKA, Mr. JORDAN of Idaho, Mr. MURPHY, Mr. TOWER, Mr. THURMOND, Mr. WILLIAMS of Delaware, and Mr. YOUNG of North Dakota):

S. 3483. A bill to protect the freedom of choice of Federal employees in employee-

management relations; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. BENNETT when he introduced the above bill, which appear under a separate heading.)

By Mr. BROOKE:

S. 3484. A bill for the relief of the New Bedford Storage Warehouse Co.; to the Committee on the Judiciary.

S. 3476—INTRODUCTION OF BILL REQUIRING FLIGHT TRAINING PAYMENTS TO BE PAID TO VETERANS MONTHLY

Mr. GRUENING. Mr. President, as we all know, bills normally fall due and are normally paid once each month, a fact which has almost become a characteristic and tradition of our American society. Notwithstanding this tradition an unintended impasse has been brought to my attention by the Aero Tech Flight School in Anchorage, with respect to the implementation of section 1677, the flight training provision of the cold war GI bill.

This section currently provides that the veteran cannot receive payment for the flight training he has received in conjunction with this bill until 90 days after he has completed the training. This places the veteran in a particularly difficult position, for, with the tightness of the financial situation these days, many veterans are unable to obtain loans to cover their expenses until they receive payment from the Veterans' Administration. Many of the flight schools are frequently unwilling to extend credit to these veterans because it would often involve thousands of dollars. This situation is also inequitable for the veteran who is pursuing flight training as a career vis-a-vis those who are pursuing a college degree. The latter receive their payments monthly from the Veterans' Administration and do not have to meet such large financial obligations over a short period, as do those who are taking flight training.

Since the whole intent of the cold war GI bill is to aid, and not hinder, veterans in the pursuance of their career objectives, I am today introducing on behalf of myself and the senior Senator from Texas [Mr. YARBOROUGH] an amendment to section 1677, which will require that the payments for educational assistance for flight training be paid on a monthly, rather than on a quarterly basis. I urge speedy consideration of this measure by both the committee to which it is assigned and by the Congress, in order that we may have a GI bill which is just and equitable for all veterans, and which will demonstrate the Federal Government's desire to aid veterans in the pursuance of their chosen careers.

I ask unanimous consent that the full text of the bill be printed at the conclusion of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 3476) to amend section 1677 of title 38, United States Code, in order to require that the educational assistance allowance for flight training

be paid on a monthly rather than quarterly basis, introduced by Mr. GRUENING, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 3476

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second sentence of section 1677 of title 38, United States Code, is amended to read as follows: "Such allowance shall be paid monthly upon receipt of a certification from the eligible veteran and the institution as to the actual flight training received by, and the cost thereof to, the veteran during such month."

Sec. 2. The amendment made by the first section of this Act shall become effective on the first day of the second calendar month following the month in which this Act is enacted.

S. 3477—INTRODUCTION OF BILL AUTHORIZING EDUCATIONAL ASSISTANCE LOANS TO VETERANS TO FINANCE EDUCATION UNDER COLD WAR GI BILL

Mr. GRUENING. Mr. President, our veterans are facing a financial crisis of vast proportions because adequate funds are not available to them for financing their education. Accordingly, I am today introducing a bill to amend chapter 34 of title 38 of the United States Code, to increase veterans' benefits by authorizing educational assistance loans to veterans to supplement educational assistance allowances paid to such veterans under the cold war GI bill.

I am introducing this bill on behalf of myself and the senior Senator from Texas [Mr. YARBOROUGH], the senior Senator from Michigan [Mr. HART], the junior Senator from New York [Mr. KENNEDY], and the junior Senator from Oregon [Mr. HATFIELD].

Throughout history, increasing emphasis has been placed on the growing demands of society for an adequately prepared working force, a force which—in an ever-growing industrial society—can only be supplied by the willingness and commitment by that society to educate its people. Paradoxically, as the need for this commitment has been recognized and accepted, the costs of obtaining the required education has risen at a rapid inflationary rate.

We have now reached the edge of a crisis where, unless funds are made available to the qualified students, we shall soon find ourselves in a position where only the wealthy will be able to afford to send their sons and daughters to school, and our society will be denied the well-trained working force that is required for its continuing progress. Statistics prepared by the U.S. Office of Education furnish ample and cogent proof of this impending crisis.

The Office of Education recently concluded a study showing the estimated average costs charged to a full-time student to attend either a publicly or privately funded institution. The study has been broken down to show these costs for both 2- and 4-year institutions, and the figures have been combined to form an average cost. The statistics cover

the period from 1956 to the present, and also project estimated costs up to, and including, 1977. These statistics are based on data gathered from the published charges of the institutions studied, and the figures have been adjusted to constant 1966-67 dollars.

The statistics furnished in this report show that college expenses have been truly soaring at an astronomical rate. Considering that we have a population explosion when the birth rate climbs to 3 percent per year, one can only conclude that we are experiencing a near-volcanic eruption in academic costs, which are rising at the astounding rate of 4.5 percent per year for nonpublic institutions, according to figures furnished by the Office of Education, from \$874 per year in 1956-57 to \$2,748 per year in 1976-77.

I ask unanimous consent that a table documenting these increases be printed in the RECORD at this point in my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

A COMPARISON OF INCREASED EDUCATIONAL COSTS¹

Period	Tuition	Board	Room	Total
1956-57:				
Public.....	\$206	\$482	\$186	\$874
Nonpublic.....	700	526	260	1,486
1966-67:				
Public.....	268	458	308	1,034
Nonpublic.....	1,240	515	370	2,125
1976-77:				
Public.....	329	458	424	1,211
Nonpublic.....	1,757	515	476	2,748

PERCENTAGE INCREASE IN COSTS FOR PERIOD SHOWN

1956-67:				
Public.....	30	-5	66	20
Nonpublic.....	77	-2	43	47
1956-77:				
Public.....	60	-5	128	38
Nonpublic.....	150	-2	83	90

¹ Statistics supplied by the U.S. Office of Education.

Mr. GRUENING. Mr. President, the percentage of inflation shown is approximate, and was not determined on the separate bases of 2- and 4-year institutions, but on the basis of the aggregate of the two. I ask unanimous consent that the complete table of statistics furnished by the Office of Education be printed at the conclusion of my remarks as exhibit A.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit A.)

Mr. GRUENING. These figures point up the urgency of correcting the financial crisis in which our educational system today finds itself. They demonstrate that, unless we immediately confront the problem with corrective, and not stopgap, measures, we shall soon find our country in an untenable situation, correctable only by massive and direct action.

We still have time to meet the problem in its developing stages if we choose to act.

We cannot allow ourselves to be forced into an educational morass, as we have become absorbed in the morass of Vietnam and civil unrest, where only huge Federal expenditures running into billions of dollars can meet the need, and when only the prevalence of forces and

civil disorder awaken us to the urgency of the problem. To date, we have been more than reluctant to act, we have been intransigent. We have not been willing to commit resources to the fundamental problems of our domestic society when it was clear that we should have acted.

On April 2, 1968, my distinguished colleague, the knowledgeable and able senior Senator from Oregon [Mr. MORSE], placed in the CONGRESSIONAL RECORD an article outlining the recommendations made on education by the National Association of State Universities and Land-Grant Colleges and the American Association of State Colleges and Universities. As chairman of the Education Subcommittee of the Committee on Labor and Public Welfare, Senator MORSE is particularly concerned about educational matters and the recommendations confirm the crisis in which we today find ourselves. The statement emphasizing the need for immediate action is particularly forceful. It says:

Our social and technological development has steadily reduced the necessity for expending human resources on routine work and created an almost unlimited demand for trained intelligence and disciplined, inquiring minds.

The potential of the university as a resource in solving the problems of our society has been dramatically proven. Federally supported university research and extension work in agriculture provide a great example to America and the world of what the marriage of the advancement of knowledge and its application in the lives of the people can do. Similar advances can be cited in other areas. Demands for speeding cultural and industrial advance and for solving the problems of our cities and of the distressed and disposed whose manual skills are no longer needed in our rural areas are clear and insistent. . . .

Federal aid designed to help the economically deprived gain access to college has, ironically as it may seem, actually reduced the capacity of our colleges and universities to educate these same young people by drawing resources from their instructional budgets to administer and match Federal student-aid programs. Programs in support or research, productive and essential as they have been and are, have, because of their project and mission orientation and cost-participation requirements, served to some extent to draw resources and emphasis away from undergraduate education, rather than to complement and strengthen it as they should.

Measures designed to conserve the operating resources of colleges and universities and to enable them to hold down their charges to students while continuing to provide quality education for greater numbers—such as the academic facilities grant and loan programs and the college housing programs—are inadequately funded or have excessive matching requirements or both. . . .

To maintain quality, they have raised student charges substantially, turned away qualified students, limited enrollments and refused requests for urgently needed public service. Even the strongest private colleges and universities, with already high student charges, report they are faced with the certainty of mounting deficits if present trends continue.

Some see the solution to the problem of financing higher education in shifting more and more of the cost of higher education to the student and his family. But the student, in economic terms, is already paying three-fourths of the cost of his education through various types of required charges and foregone earnings. For the most affluent society in history to deny responsibility for even a minor fraction of the cost of the higher edu-

cation of its future leaders seems preposterous.

The major advance needed at this point in our history calls for Federal aid in such forms and in such variety as to strengthen all colleges and universities from the weakest to the most prestigious. . . .

But more than that, it requires broad Federal support on an institutional basis: support which will encourage expansion while reducing pressures on student charges; support which will maintain quality in the face of rising costs; support which will recognize that qualitative differences among institutions must be cured by "leveling up" rather than leveling down and that quality lies in the excellence of performance of their different functions by a wide variety of institutions, each according to its own purposes.

The time has arrived for us to advance a program that will help both universities and students to meet increasing costs, a program which will put emphasis on an undergraduate education as the bridge to the future, and to strengthen the means of crossing that bridge.

Veterans, because of the special sacrifices demanded of them by their country, particularly when called upon to risk their lives in armed conflict, rightfully have the use of Federal funds to continue their education upon return to civilian life, in order that they might further aid in the progress of the country they have been asked to protect. In this regard, perhaps no other single piece of legislation authorized by the Congress has been as strengthening to our society and productive as the World War II GI bill.

As Governor of Alaska, I sponsored a veterans bill in the Alaska Legislature in 1945. The war was not over and the legislature refused to act. So I called a special session in 1946 to get action. It was the first veterans bill enacted by any State or territory after World War II. It provided bonuses and loans. This legislation has continued to this day, enabling Alaskan veterans to acquire hundreds of homes, fishing boats, businesses, and valuable assets. It not only benefitted the veterans; it greatly aided Alaska's economy.

The value of that bill on the State level and of the World War II and Korean war GI bills nationally is demonstrable. The World War II GI bill, the

original GI bill of rights, the Servicemen's Readjustment Act of 1944, was enacted by the 78th Congress. It provided training for higher education, below-college education, on-the-job training, and on-the-farm training, was utilized by 7,800,000 veterans, according to figures furnished by the Veterans' Administration.

The Korean war GI bill, known formally as the Veterans' Readjustment Assistance Act of 1952—Public Law 82-550—provided essentially the same types of training for 2,391,000 veterans.

The primary differences between the two was in the type of entitlement offered to veterans pursuing a higher education.

The World War II bill allowed for a maximum entitled of 48 months. The maximum under the Korean GI bill was 36 months.

The World War II entitlement covered tuition, books, fees, supplies and equipment, and a monthly subsistence allowance of \$75 for veterans with no dependents.

The approach in the post-Korean entitlement was a flat grant of \$110 per month for the veterans without dependents to cover all expenses.

Both bills enabled veterans to get housing loans.

Today, our servicemen may participate in a third veterans readjustment act the cold war GI bill. Passage of this far-sighted legislation, authored by our distinguished colleague the senior Senator from Texas [Mr. YARBOROUGH], has meant a great deal to veterans today. Senator YARBOROUGH's leadership and continuing interest in veteran's readjustment has resulted in legislation which currently allows our veterans to pursue higher education; to obtain flight training; to receive on-the-job and on-the-farm training; and to receive a home loan guaranty or a direct home loan. We are a stronger and wiser Nation because of his foresight.

I ask unanimous consent that a statistical table outlining the implementation of the World War II and Korean GI bills be printed in the RECORD at this point in my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

IMPLEMENTATION OF VETERANS LEGISLATION

	World War II		Korean war	
	Number	Percent	Number	Percent
Veterans receiving benefits.....	7,800,000	100	2,391,000	100
Veterans pursuing a higher education.....	2,230,000	24	1,213,000	51
Veterans pursuing an education below college.....	3,480,000	44	860,000	36
Veterans receiving on-the-job training.....	1,400,000	18	223,000	9
Veterans receiving on-the-farm training.....	690,000	9	95,000	4
	World War II		Korean war	
Average age of veteran receiving benefits of all types.....	27 years old		25 years old.	
Average length of entitlement due to veterans.....	40 months		33 months.	
Maximum length of entitlement allowable by law.....	48 months		36 months.	
Average length of training received.....	19 months		18 months.	
Percentage of veterans who exhausted entitlement due.....	14 percent		12 percent.	

Mr. GRUENING. Mr. President, the question which now must be answered is: Are the Federal funds available ade-

quate? The answer is an unequivocal "No."

Let me explain in detail. Under the

current law, a veteran is eligible to receive a grant of \$130 per month in educational assistance for every month of active duty that he has performed. This amounts, over a 9-month school period, to \$1,170, a sum which will not, except in rare instances, come close to meeting the expenses incurred by the student during 1 year of his academic studies. In many cases, the result is that the veteran has been forced into a situation where, if he desires to further his education, he must obtain funds from another source, such as outside employment, scholarships, or loans, in order to supplement his income to meet expenses. The situation is further complicated if the veteran is married and has a family to support.

When financial burdens require him to divert his study time, the veteran is placed at a disadvantage in relation to other students who have better financing. In many cases, he has had to choose between continuing his education or quitting school and working to support a family, with the dim hope of obtaining funds to continue his interrupted education at a later date. The financial situation for many veterans today is rapidly approaching a critical juncture. Positive steps must be taken for rectification of this crisis.

Accordingly, I am introducing S. 3477 to correct these inequities, and hopefully, to help correct some of the problems pointed out by the National Association of State Universities and Land-Grant Colleges and the American Association of State Colleges and Universities, in one of two ways:

First, by the establishment of a student loan guarantee provision, to enable the veteran to supplement the grant he receives from the Federal Government by obtaining a loan from a commercial bank, the interest and principal of which will be guaranteed by the Veterans' Administration. The amount of the loan to be guaranteed will be equal to the amount of the grant that the veteran is eligible to receive;

Second, by the establishment of a direct loan fund under the jurisdiction of the Veterans' Administration where loans will be made at the discretion of the Administrator in cases where commercial loans are not available to the veteran from banks in his area. The terms and conditions of these loans will be the same as provided for under the loan guarantee provision.

Under the provisions of my bill, the interest to be paid by the veteran on the loan is set at the same rate, 3 percent, that is established for similar educational grants under the National Defense Education Act of 1958, and is designed to supplement the act in two ways:

First, by increasing the number of students who are eligible to receive Federal funds by establishing a similar fund for veterans; and

Second, by allowing veterans who are currently receiving funds under the National Defense Education Act to be covered under the provisions of the student loan guarantee and direct loan fund, thus releasing NDEA funds committed

to veterans and making them available to nonveteran students.

In order to provide for just and equitable implementation of the bill, I am proposing a provision which will relieve the veteran of his repayment obligation if he is called to active duty for a period of more than 30 days, providing he is not in default of payment for more than 60 days prior to his recall. This will be added incentive to the lending institution to make a loan under the guarantee provisions.

By having the Federal Government assume the veteran's obligation in event of recall, the lender is protected, and it will also serve as an incentive to the veteran to further his education by taking advantage of the loan aids, when he knows that the Government will relieve him of his obligation and that he will not be penalized in case of recall to active duty.

My bill further stipulates that no veteran will be eligible to receive a loan, or a loan guarantee, under this bill when he is currently receiving a loan, or loan guarantee, under the provisions of some other Federal grant. He will, however, be eligible to receive the benefits of the bill if he chooses to terminate all other educational aid he is receiving from the Federal Government, and is not precluded from obtaining any other educational aid for which he may be eligible from non-Federal sources.

I have added two provisions to the bill with respect to public service employment:

First. A provision which provides for cancellation of any indebtedness incurred by the veteran if, upon graduation from college, he enters into employment in certain public service jobs stipulated in section 1692 of the bill, including teachers in elementary and secondary schools and teachers of handicapped children, and will be canceled in the amount and under the scale stipulated in that section. Hopefully, such an incentive will encourage veterans to further serve their country after leaving school, and it will also provide competently trained personnel in areas in which there have been demonstrated a need for their services.

Second. My second provision provides that preference be given to the wives of veterans with respect to public service employment, except that they shall not be given this preference over veterans themselves. This provision is designed to supplement the request President Johnson has made of the Congress to encourage people, and in particular, veterans, to enter public service employment in view of the need for their services. Further, it should help provide employment for wives of veterans whose husbands are going to school full time, aiding them in meeting the financial obligations of their families.

Finally, I am requesting that \$250 million be authorized to create a revolving loan fund for the direct loan provision. Although this amount might, at first glance seem high, published figures of the Veterans' Administration prove otherwise. These figures show that, as of February 1968, 980,321 applications had been received for educational assistance under Public Law 89-358—the so-called

cold war GI bill. As of that date, 698,000 beneficiaries had received assistance, an increase of almost 28,000 over January 1968, and was expected to reach 741,775 by the end of March 1968, an increase of 43,475 over February, and an increase of 71,180 over January. In addition, these figures show that expenditures for educational assistance are expected to reach an annual output of \$513,400,000 at the end of March 1968, an increase of \$45,012,000 over the annual rate of expenditure in February of \$468,388,000. Also, as of February 1968, 398,797 veterans were actively receiving educational assistance under the law.

Projected estimates furnished by the Veterans' Administration conclude that there is likely to be a large increase in the number of veterans who will become eligible for educational assistance in the coming year, to 750,000, or approximately 62,500 per month, of which some 75.4 percent will be immediately eligible to pursue a college degree, because they have completed 12 or more years of education. I ask unanimous consent that this table be printed at the end of my remarks as exhibit B.

THE PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit B.)

Mr. GRUENING. President Johnson, in his message on American education, pointed out the need for higher education. He said:

The prosperity and well-being of the United States—and thus our national interest—are vitally affected by America's colleges and universities, junior colleges and technical institutes.

Their problems are not theirs alone, but the Nation's.

This is true today more than ever. For now we call upon higher education to play a new and more ambitious role in our social progress, our economic development, our effort to help other countries.

We depend upon the universities—their training, research, and extension services—for the knowledge which undergirds agricultural and industrial production.

Increasingly, we look to the colleges and universities—to their faculties, laboratories, research institutes and study centers—for help with every problem in our society and with the efforts we are making toward peace in the world.

THE FIFTH FREEDOM

On January 6, 1941, President Franklin D. Roosevelt set forth to Congress and the people "four essential human freedoms" for which America stands.

In the years since then, those four freedoms—freedom of speech, freedom of worship, freedom from want, and freedom from fear—have stood as a summary of our aspirations for the American Republic and for the world.

And Americans have always stood ready to pay the cost in energy and treasure which are needed to make those great goals a reality.

Today—wealthier, more powerful and more able than ever before in our history—our Nation can declare another essential human freedom.

The fifth freedom is freedom from ignorance.

It means that every man, everywhere, should be free to develop his talents to their full potential—unhampered by arbitrary barriers of race or birth or income.

We have already begun the work of guaranteeing that fifth freedom.

The job, of course, will never be finished. For a nation, as for an individual, education is a perpetually unfinished journey, a continuing process of discovery.

But the work we started when this Nation began, which has flourished for nearly two centuries, and which gained new momentum in the past two Congresses—is ours to continue—yours and mine.

In conclusion, let me say that I hope we can rise to the challenge of two great Presidents, and to the challenge confronting our Nation as a whole if we begin to meet our educational financial crisis now. Therefore, let us enact legislation that will meet the need, and not aggravate the crisis.

I ask unanimous consent that the full text of the bill be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and exhibits will be printed in the RECORD.

The bill (S. 3477) to amend chapter 34 of title 38, United States Code, in order to authorize educational assistance loans to veterans to supplement educational assistance allowances paid to such veterans under such chapter, and for other purposes, introduced by Mr. GRUENING (for himself and others) was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 3477

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 34 of title 38, United States Code, is amended by adding a new subchapter V as follows:

"SUBCHAPTER V—EDUCATIONAL LOANS

"§1690. Student loan guaranty.

"In addition to the educational assistance allowance authorized by this chapter, educational assistance loans made to eligible veterans pursuing a program of education under the provisions of this chapter, by a lending institution authorized to do business in a State or in the District of Columbia may, with the approval of the Administrator, be guaranteed by the United States, as provided in this subchapter.

"§1691. Terms and conditions of loans

"(a) Any loan guaranteed under this subchapter may be approved by the Administrator only if the eligible veteran (1) is capable, in the opinion of the educational institution in which his program is to be pursued, of maintaining good standing in his courses of study, (2) has been accepted for enrollment, or is enrolled, in such institution either as an undergraduate, graduate, or professional student, and (3) is enrolled in or is pursuing a program of education on a half-time or more basis. The amount of any loan guaranteed under this subchapter shall not, for any year of educational pursuit approved under this chapter, exceed (1) an amount equal to the amount of the educational assistance allowance which the eligible veteran is entitled to receive, or (2) an amount which, when added to the amount of the educational assistance allowance the eligible veteran is entitled to receive, is reasonably adequate, as determined by the Administrator, to meet the veteran's educational expenses at the institution in which he is enrolled, whichever amount is the lesser.

"(b) An approved loan shall be evidenced by a note or other written agreement which

provides for repayment of the principal amount, together with interest thereon, in equal installments (or, if the borrower so requests, in graduated periodic installments determined in accordance with such schedules as may be approved by the Administrator) payable quarterly, bi-monthly, or monthly (at the option of the lending institution), over a period beginning nine months after the date on which the eligible veteran ceases to pursue an educational program authorized under this chapter (on at least a one-half time or more basis), and ending not later than ten years and nine months after such date. Such loan shall bear interest on the unpaid balance at the rate determined by the Administrator to be the going rate in the State in which the loan is made, except that all interest in excess of 3 percent per annum shall be paid by the United States under the guaranty agreement entered into between the lending institution and the Administrator.

"§1692. Cancellation of loans.

"Not to exceed 50 per centum of any approved guaranteed loan (plus interest) shall be canceled for service as a full-time teacher in a public or other nonprofit elementary or secondary school in a State, in an institution of higher education, or in an elementary or secondary school overseas of the Armed Forces of the United States. Cancellation of a loan for such service shall be (1) at the rate of 10 per centum of the total amount of such loan plus interest thereon for each complete academic year or its equivalent (as determined under regulations of the Administrator) of such service, (2) at the rate of 15 per centum of the total amount of such loan plus interest thereon for each complete academic year or its equivalent (as determined under regulations of the Administrator) of service as a full-time teacher in a public or other nonprofit elementary or secondary school which is in the school district of a local educational agency which is eligible in such year for assistance pursuant to title II of Public Law 874, Eighty-first Congress, as amended, and which for purposes of this clause and for that year has been determined by the Administrator, pursuant to regulations and after consultation with the State educational agency of the State in which the school is located, to be a school in which there is a high concentration of students from low-income families, except that the Administrator shall not make such determination with respect to more than 25 per centum of the total of the public and other nonprofit elementary and secondary schools in any one State for any one year, or (3) at the rate of 15 per centum of the total amount of such loan plus interest thereon for each complete academic year or its equivalent (as determined under regulations of the Administrator) of service as a full-time teacher of handicapped children (including mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed or other health impaired children who by reason thereof require special education) in a public or other nonprofit elementary or secondary school system. An additional 50 per centum of any such loan plus interest thereon may be canceled at the rate of 15 per centum of the total amount of the loan plus interest thereon for additional service of the nature described in clauses (1) and (2) of the preceding sentence; but nothing in this paragraph shall authorize refunding any payment made by a veteran. The amount of the loan which is canceled under this section, shall be paid to the lending institution by the United States pursuant to the guaranty agreement entered into between such institution and the Administrator.

"§1693. Powers of the Administrator

"The Administrator is authorized to prescribe such additional terms and conditions

as he deems necessary in order to implement the provisions of this subchapter, and to take such action as may be necessary to recover the unpaid balance of any loan which is defaulted by the borrower and for which the United States becomes responsible pursuant to the guaranty provisions of this subchapter.

"§1694. Direct educational loans

"(a) Whenever the Administrator finds that eligible veterans are unable to obtain educational assistance loans under this subchapter from commercial lending sources at reasonable rates of interest and on reasonable terms and conditions, he is authorized to make educational assistance loans to such veterans on the same terms and conditions prescribed for loans guaranteed under this subchapter except that such loans shall bear interest on the unpaid balance at the rate of 3 per centum per annum. No interest shall accrue before the date on which repayment of the loan is to begin.

"(b) For the purpose of enabling the Administrator to carry out the provisions of this section, there is established an educational assistance revolving loan fund, and there is authorized to be appropriated to such fund an amount not to exceed \$250,000,000. Any funds received by way of repayment of loans made under this section shall be credited to the receiving fund.

"§1695. Repayment or cancellation of loans by the United States; limitation on loans from Federal sources

"(a) Notwithstanding any other provision of law, whenever an eligible veteran is obligated for the repayment of a loan guaranteed or made under this subchapter and is recalled to active duty for a period of more than 30 days, the Administrator shall pay on behalf of such veteran any payment, including interest thereon, on any loan guaranteed under this subchapter which becomes due while such veteran is serving on active duty, and shall cancel any payment, including interest thereon, on any direct loan made to such veteran under this subchapter which becomes due while such veteran is serving on active duty. Payments made by the Administrator on behalf of any veteran under this subsection shall not be a debt obligation of such veteran to the United States. The provisions of this section shall not apply in the case of any loan which has been in default for a period of more than 60 days.

"(b) No veteran shall be eligible for a loan guaranty or direct loan under this subchapter for any year for which he has received a loan, a guarantee on a loan, or a grant under any program authorized pursuant to Federal law."

SEC. 2. The table of sections at the beginning of chapter 34 of title 38, United States Code, is amended by adding at the end thereof the following:

"SUBCHAPTER V—EDUCATIONAL LOANS

"Sec.

"1690. Student loan guaranty

"1691. Terms and conditions of loans

"1692. Cancellation of loans

"1693. Powers of the Administrator

"1694. Direct educational loans

"1695. Repayment or cancellation of loans by the United States; limitation on loans from Federal sources."

SEC. 3. Notwithstanding any other provision of law, the wives of veterans, shall be given the same type of preference with respect to public service employment in the Federal Government as is granted to veterans, except that no wife of a veteran shall be given a preference over an eligible veteran.

SEC. 4. This Act shall become effective upon enactment but no educational assistance loans shall be guaranteed or made for any period prior to the first day of the first calendar month which begins more than 30 days after the date of enactment of this Act.

EXHIBIT A

TABLE 44.—ESTIMATED AVERAGE CHARGES TO FULL-TIME RESIDENT DEGREE-CREDIT UNDERGRADUATE STUDENTS, BY TYPE AND CONTROL OF INSTITUTION OF HIGHER EDUCATION: UNITED STATES, 1956-57 TO 1976-77

[Charges are for the academic year and in constant 1966-67 dollars]

Year and control	Total tuition, board, and room			Tuition (includes required fees)			Board (7-day basis)			Dormitory rooms		
	All	4-year	2-year	All	4-year	2-year	All	4-year	2-year	All	4-year	2-year
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
1956-57: ¹												
Public.....	\$874	\$883	\$637	\$206	\$211	\$88	\$482	\$484	\$417	\$186	\$188	\$132
Nonpublic.....	1,486	1,504	929	700	714	322	526	530	433	260	260	174
1957-58: ¹												
Public.....	877	886	631	210	215	89	471	473	405	196	198	137
Nonpublic.....	1,532	1,548	993	748	761	374	516	519	432	268	268	187
1958-59: ¹												
Public.....	895	897	639	216	224	92	469	471	402	210	212	145
Nonpublic.....	1,600	1,622	1,069	809	821	429	516	519	438	275	282	202
1959-60: ¹												
Public.....	913	926	644	223	232	94	467	469	398	223	225	152
Nonpublic.....	1,673	1,690	1,147	866	878	484	515	519	445	292	293	218
1960-61: ¹												
Public.....	932	947	650	230	240	96	465	468	395	237	239	159
Nonpublic.....	1,741	1,756	1,221	922	934	536	515	517	451	304	305	234
1961-62: ²												
Public.....	952	970	656	239	254	96	463	464	390	250	252	170
Nonpublic.....	1,824	1,844	1,311	992	1,008	588	517	520	467	315	316	256
1962-63: ²												
Public.....	974	994	665	240	257	105	470	471	390	264	266	170
Nonpublic.....	1,865	1,888	1,375	1,021	1,039	649	514	516	462	330	333	264
1963-64: ²												
Public.....	988	1,013	671	250	271	103	464	465	385	274	277	183
Nonpublic.....	1,935	1,962	1,400	1,079	1,099	685	519	523	455	337	340	266
1964-65: ²												
Public.....	1,000	1,030	671	256	281	104	459	461	380	285	288	187
Nonpublic.....	2,007	2,039	1,531	1,145	1,172	739	514	516	488	348	351	304
1965-66: ¹												
Public.....	1,019	1,052	680	262	290	708	460	462	376	297	300	194
Nonpublic.....	2,062	2,099	1,576	1,188	1,218	788	515	518	488	359	363	306
1966-67: ¹												
Public.....	1,034	1,071	684	268	299	110	458	460	374	308	312	200
Nonpublic.....	2,125	2,164	1,644	1,240	1,273	836	515	517	488	370	374	320
PROJECTED ³												
1967-68:												
Public.....	1,052	1,092	692	274	308	112	458	460	374	320	324	206
Nonpublic.....	2,187	2,230	1,707	1,292	1,328	885	515	517	488	380	385	334
1968-69:												
Public.....	1,070	1,114	701	280	318	114	458	460	374	332	336	213
Nonpublic.....	2,248	2,297	1,770	1,343	1,383	934	515	517	488	390	397	348
1969-70:												
Public.....	1,087	1,136	709	286	328	116	458	460	374	343	348	219
Nonpublic.....	2,311	2,363	1,833	1,395	1,438	983	515	517	488	401	408	362
1970-71:												
Public.....	1,104	1,157	718	292	337	118	458	460	374	354	360	226
Nonpublic.....	2,374	2,430	1,896	1,447	1,494	1,032	515	517	488	412	419	376
1971-72:												
Public.....	1,122	1,178	727	298	346	121	458	460	374	366	372	232
Nonpublic.....	2,437	2,496	1,959	1,499	1,549	1,081	515	517	488	423	430	390
1972-73:												
Public.....	1,140	1,200	735	304	356	123	458	460	374	378	384	238
Nonpublic.....	2,498	2,562	2,022	1,550	1,604	1,130	515	517	488	433	441	404
1973-74:												
Public.....	1,157	1,222	744	310	366	125	458	460	374	389	396	245
Nonpublic.....	2,516	2,629	2,085	1,602	1,659	1,179	515	517	488	444	453	418
1974-75:												
Public.....	1,174	1,243	752	316	375	127	458	460	374	400	408	251
Nonpublic.....	2,623	2,695	2,148	1,654	1,714	1,228	515	517	488	454	464	432
1975-76:												
Public.....	1,193	1,264	762	323	384	130	458	460	374	412	420	258
Nonpublic.....	2,686	2,762	2,210	1,706	1,770	1,276	515	517	488	465	475	446
1976-77:												
Public.....	1,211	1,285	770	329	394	132	458	460	374	424	431	264
Nonpublic.....	2,748	2,828	2,273	1,757	1,825	1,325	515	517	488	476	486	460

¹ Estimated.² Data for 1961-62 through 1964-65 represent constant 1966-67 dollars as converted from the unadjusted current dollars shown in table 45. See constant dollar index, table K.³ The projection of basic student charges is based on the assumption that these charges will continue to increase through 1976-77 as they did during the base years of 1961-62 through 1964-65, in constant dollars. The decreases in charges for board during the base period are not projected and are frozen at the 1966-67 level. The base year data for board charges, in current unadjusted dollars, did show an increase but not enough to offset the application of the Consumer Price Index.

Note: Data are for 50 States and the District of Columbia for all years. For methodology details see appendix table D.

Source: U.S. Department of Health, Education, and Welfare, Office of Education publications: (1) "Higher Education Basic Student Charges," 1961-62 through 1964-65; and (2) "Opening (Fall) Enrollment in Higher Education," 1961 through 1964.

EXHIBIT B

Projected release of soldiers based on figures as of Mar. 1, 1968

Per year 750,000

Per month 62,500

Estimated level of educational attainment of returning veterans

	Percent
7 years or less.....	1.1
8 years.....	3.3
9 years.....	5.3
10 years.....	7.9
11 years.....	7.0
12 years.....	59.2
1 to 3 years college.....	9.8
4 years or more college.....	6.4

(Figures are based on those received from the Senate Liaison Office of the Veterans' Administration.)

S. 3480—INTRODUCTION OF BILL TO PROVIDE CERTAIN PROCESSES IN PRODUCING LIGHTWEIGHT AGGREGATES AS A MINING PROCESS

Mr. TOWER. Mr. President, I introduce, for appropriate reference, a measure designed to amend the Internal Revenue Code of 1954 to include the sintering and burning of clay, shale, and slate used as lightweight aggregates as a treatment

process considered as mining. This measure would give the lightweight aggregate industry much-needed assistance. A measure similar to the one I introduced today was adopted by the Senate during the 89th Congress, as an amendment to the Foreign Investors Tax Act of 1966, only to be deleted in conference. The committee report on this matter recommended that the application of heat to the lightweight aggregates mentioned should be considered as mining for percentage depletion purposes. All that this measure would do is reinstate the expressed desire of the Senate which was

deleted by said conference committee. It is my sincere belief that it would be a wise policy for us to follow by so acting.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3480) to amend the Internal Revenue Code of 1954 to include the sintering and burning of clay, shale, and slate used as lightweight aggregates as a treatment process considered as mining, introduced by Mr. TOWER, was received, read twice by its title, and referred to the Committee on Finance.

S. 3481—INTRODUCTION OF BILL TO FURTHER EXTEND THE PERIOD OF RESTRICTIONS ON LANDS OF THE QUAPAW INDIANS OF OKLAHOMA

Mr. HARRIS. Mr. President, I introduce, for appropriate reference, a bill to further extend the period of restrictions on lands of the Quapaw Indians, Oklahoma and for other purposes. A similar bill has been introduced in the House of Representatives by my distinguished colleague, Congressman Ed EDMONDSON. The chairman of the tribe, Robert Whitebird and the vice chairman, Henry E. Hoffman, endorse the bill. I ask that a letter dated April 29, 1968, from these two tribal officials be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 3481) to further extend the period of restrictions on lands of the Quapaw Indians, Oklahoma, and for other purposes, introduced by Mr. HARRIS (for himself and Mr. MONRONEY) was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

The letter, presented by Mr. HARRIS, is as follows:

QUAPAW, OKLA.,
April 29, 1968.

Senator FRED R. HARRIS,
U.S. Senate,
Committee on Finance,
Washington, D.C.

DEAR SENATOR HARRIS: In regard to your letter of March 25, 1968 to Mr. Robert Whitebird concerning the extension of restrictions on the Quapaw Tribe. It is our opinion that the bill should include the wording suggested by you, Senator Harris.

This would be "The extension provided for by this Act shall be subject to the proviso contained in the first section of the Act of July 27, 1939, and section 2 thereof".

This section concerns the leasing of restricted lands for business, mining or other purposes in accordance with such rules and regulations as the Secretary of the Interior may prescribe, and not otherwise: Provided, however, that no lease, modification, or assignment thereof shall be made over the written protest of adult Indians owning a majority interest therein.

This section is in the original Act of July 27, 1939 (53 Stat. 1127) and we feel it should be included in this.

We sincerely appreciate your effort in behalf of the Quapaw Indian Tribe.

Yours very truly,

HENRY E. HOFFMAN, JR.,
Vice Chairman, Quapaw Tribal Business Committee.

ROBERT WHITEBIRD,
Chairman, Quapaw Tribal Business Committee.

S. 3482—INTRODUCTION OF BILL TO PROVIDE FINANCIAL ASSISTANCE TO CERTAIN LOCAL GOVERNMENTS

Mr. TOWER. Mr. President, I introduce, for appropriate reference, a measure to provide financial assistance to local governments where the tax bases of such local governments have been impaired through Department of the Interior land acquisitions.

My proposal is not a complex one; I believe that it can be clearly stated and easily understood with a minimum of difficulty. When Federal Government action takes land for national parks for example, this land so taken is lost for tax purposes to local government tax authorities. Greatly needed local government revenues are thus reduced, in many cases substantially. Present statutory authority does not authorize the Secretary of the Interior to make any sort of interim payments to local taxing authorities in the form of compensation for this lost revenue.

Certainly it is true that, in most cases, economic benefits resulting to local areas from the establishment of a national park or seashore or similar area far outweigh any loss of lands from tax roles. However, Mr. President, local taxing authorities are generally hard-pressed to come up with adequate tax dollars in this interim between the original land acquisition by the Federal Government and the subsequent afore-mentioned accruing of economic benefits. It is this interim period about which I am concerned, Mr. President. Local governments cannot place necessary services in limbo during this tax loss period. Local government operations and programs must continue, most particularly school operations.

Therefore, I am proposing that the Secretary of the Interior be authorized under such regulations as he may prescribe, the authority to purchase the securities and obligations of, or make loans to, these local governments which may be affected by such tax losses. Mr. President, I would point out in closing what I consider to be one of the most noteworthy features of my proposal, and that is, it is by no means a direct grant program. It is merely a means of assisting the local communities to get by at a time when they will have lost a portion of their tax dollars due to action by the Federal bureaucracy.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3482) to provide financial assistance to certain local governments, introduced by Mr. TOWER, was received, read twice by its title, and referred to the Committee on Banking and Currency.

S. 3483—INTRODUCTION OF BILL ENTITLED, "FEDERAL EMPLOYEE FREEDOM OF CHOICE ACT OF 1968"

Mr. BENNETT. Mr. President, I rise to introduce a bill entitled the "Federal Employee Freedom of Choice Act of 1968." I am joined by Senators BAKER, CURTIS, DIRKSEN, EASTLAND, FANNIN, HATFIELD, HICKENLOOPER, HOLLAND, HRUSKA,

JORDAN of Idaho, MURPHY, TOWER, THURMOND, WILLIAMS of Delaware, and YOUNG of North Dakota, in the introduction of this important legislation. My reasons for introducing the bill are basically threefold.

In 1962 President Kennedy issued an Executive order which contained the following paragraph:

Employees of the Federal Government shall have, and shall be protected in the exercise of, the right, free and without fear of penalty or reprisal, to form, join and assist any employee organization or to refrain from any such activity.

Speaking of this Executive order and its guarantee of voluntarism for Federal employees former Secretary of Labor Arthur Goldberg said:

I know you will agree with me that the union shop and the closed shop are inappropriate to the Federal government . . . In your own organization you have to win acceptance by your own conduct, your own action, your own wisdom, your own responsibility and your own achievement.

I certainly agree with the late President and Ambassador Goldberg regarding this very crucial employee right. Consequently, when it came to my attention that a Labor-Management Review Commission headed by Secretary of Labor W. Willard Wirtz was considering changes in Executive Order 10988 I was very curious as to what those recommendations were. I have attempted through the Department of Labor and the Civil Service Commission to learn if the Review Commission had made any recommendations to the President that the concept of voluntary unionism among Federal civilian employees be eliminated. I have been unable to determine if this recommendation was made or if the President had any intention to change Executive Order 10988.

My suspicions were further increased when responsible reporters writing in the Washington Post and other newspapers indicated that compulsory unionism for Federal employees was under consideration as well as a second provision which might require in lieu of outright union membership the payment of a service fee to the union involved.

Unfortunately, at the present time it is very difficult to say whether or not compulsory unionism is about to be forced upon Federal employees. Those who are in a position to make this information known have kept it very secret, and consequently the public is left in the dark.

I believe the concept of voluntary unionism in the Federal service is the only reasonable and moral position which the U.S. Government can take. At the moment the existence of that principle is dependent upon the President of the United States who can change it at will. Even if President Johnson has not received a recommendation requiring compulsory unionism; even if he has decided against such a recommendation, the possibility that compulsory unionism could be forced upon Federal Government employee at a later date or by a different President still exists. Consequently, I believe that the privilege to join a union or to refrain from join-

ing a union should be permanently established by an act of Congress.

Federal employees should not be required to wonder from month to month or from election to election if they will be required to join a union or pay union dues in order to retain their civil service jobs and continue their Federal careers.

I should like to point out that I am not opposed in any way to an employee joining a union either in the private sector of our economy or in the Federal service. I think this is a very important right for all Americans. I believe equally, however, that no American should be forced to join a union by the Government or private industry in order to retain his job. The right to refrain is every bit as sacred and as important as is the right to join. It is both rights which my bill will protect.

May I repeat what I said back in 1965 during the long debate on section 14(b) of the Taft-Hartley Act that the people of my State through their elected representatives have set up a right-to-work law. Those Federal employees who have written me regarding this subject have been unanimous in expressing their strong belief that compulsory unionism or the payment of union dues is wrong and indefensible.

I believe that the objectives of this bill are supported by freedom-loving Americans everywhere who believe that membership in any organization should be determined freely and without coercion by the individual and not by the stroke of a pen by the President of the United States. Such a critical issue as compulsory unionism is something which the Congress cannot ignore.

May I repeat what I said in the Senate in October 1965, "Good unions do not need compulsory unionism and bad unions don't deserve it."

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3483) to protect the freedom of choice of Federal employees in employee-management relations, introduced by Mr. BENNETT and others, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

ADDITIONAL COSPONSORS OF BILLS, JOINT RESOLUTION, AND RESOLUTION

Mr. CANNON. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Nebraska [Mr. CURTIS] be added as a cosponsor of the resolution (S. Res. 13) to amend rule XXV of the Standing Rules of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of my senior colleague [Mr. RANDOLPH] I ask unanimous consent that, at its next printing, the name of the Senator from Michigan [Mr. HART] be added as a cosponsor of the bill (S. 2040) to provide for Federal assistance in the planning and installation of works and measures for the control and

prevention of damages resulting from erosion of roadbeds and rights-of-way of existing State, county, and other rural roads and highways, from erosion of the banks of rivers and streams, and from erosion of unrestored or unrehabilitated surface or strip-mined non-Federal lands, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, at the request of the Senator from Washington [Mr. JACKSON] I also ask unanimous consent that, at its next printing, the name of the Senators from Connecticut [Mr. DOB] and Mr. RIBICOFF be added as cosponsors of the bill (S. 2882) to amend the Public Health Service Act to provide for a comprehensive review of the medical, technical, social, and legal problems and opportunities which the Nation faces as a result of medical progress toward making transplantation of organs, and the use of artificial organs a practical alternative in the treatment of disease; to amend the Public Health Service Act to provide assistance to certain non-Federal institutions, agencies, and organizations for the establishment and operation of regional and community programs for patients with kidney disease and for the conduct of training related to such programs; and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Minnesota [Mr. MONDALE] I further ask unanimous consent that, at its next printing, the name of the Senator from Michigan [Mr. HART], and the Senator from Maryland [Mr. TYDINGS] be added as cosponsors of the joint resolution (S.J. Res. 169) the East-West trade resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, May 13, 1968, he presented to the President of the United States the following enrolled bills and joint resolution:

S. 391. An act to amend the act of March 1, 1933 (47 Stat. 1418), entitled "An act to permanently set aside certain lands in Utah as an addition to the Navajo Indian Reservation, and for other purposes";

S. 528. An act to place in trust certain lands on the Wind River Indian Reservation in Wyoming;

S. 948. An act for the relief of Seaman Eugene Markovitz, U.S. Navy;

S. 1119. An act to grant minerals, including oil and gas, on certain lands in the Crow Indian Reservation, Mont., to certain Indians, and for other purposes;

S. 1147. An act for the relief of Mariana Mantzios;

S. 1173. An act to convey certain federally owned lands to the Cheyenne and Arapaho Tribes of Oklahoma;

S. 1180. An act for the relief of Ana Jacqueline;

S. 1395. An act for the relief of Dr. Brandia Don (nee Praschnik);

S. 1406. An act for the relief of Dr. Jorge Mestas;

S. 1483. An act for the relief of Dr. Pedro Lopez Garcia;

S. 1490. An act for the relief of Yang Ok Yoo (Maria Margurita);

S. 1828. An act for the relief of Susan Elizabeth (Cho) Long;

S. 1829. An act for the relief of Lisa Marie (Kim) Long;

S. 1918. An act for the relief of Dr. Gabriel Gomez del Rio;

S. 1946. An act to amend the repayment contract with the Foss Reservoir Conservancy District, and for other purposes;

S. 1968. An act for the relief of Dr. Jose Ernesto Garcia y Tojar;

S. 2005. An act for the relief of Dr. Anacleto C. Fernandez;

S. 2022. An act for the relief of Dr. Mario Jose Ramirez DeEstenoz;

S. 2023. An act for the relief of Virgilio A. Arango, M.D.;

S. 2078. An act for the relief of Dr. Alberto De Jongh;

S. 2132. An act for the relief of Dr. Robert L. Cespedes;

S. 2139. An act for the relief of Dr. Angel Trejo Padron;

S. 2149. An act for the relief of Dr. Jose J. Guizar;

S. 2176. An act for the relief of Dr. Edgar Reinaldo Nunez Baez;

S. 2193. An act for the relief of Dr. Alfredo Jesus Gonzalez;

S. 2256. An act for the relief of Dr. Margarita Lorigados;

S. 2285. An act for the relief of Gordon Shih Gum Lee;

S. 2301. An act for the relief of Dr. Francisco Guillermo Gomez-Inguanzo;

S. 2381. An act for the relief of Dr. Jesus Adalberto Quevedo-Avila;

S. 2403. An act for the relief of Dr. Teobaldo Cuervo-Castillo;

S. 2404. An act for the relief of Dr. Heriberto Jose Hernandez-Suarez;

S. 2489. An act for the relief of Dr. Jesus Jose Eduardo Garcia;

S. 2531. An act to designate the San Gabriel Wilderness, Angeles National Forest, in the State of California; and

S.J. Res. 129. Joint resolution to authorize the Secretary of Transportation to conduct a comprehensive study and investigation of the existing compensation system for motor vehicle accident losses, and for other purposes.

AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961—AMENDMENT

AMENDMENT NO. 772

Mr. JAVITS submitted an amendment, intended to be proposed by him, to the bill (S. 3091) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes, which was referred to the Committee on Foreign Relations, and ordered to be printed.

OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1967—AMENDMENTS

AMENDMENTS NOS. 773 THROUGH 779

Mr. FONG (for himself, Mr. HART, and Mr. LONG of Missouri) submitted seven amendments, intended to be proposed by them, jointly, to the bill (S. 917) to assist State and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government, and for other purposes, which were ordered to lie on the table and to be printed.

NOTICE OF PUBLIC HEARING ON INTERNATIONAL COFFEE AGREEMENT, 1968

Mr. SPARKMAN. Mr. President, as acting chairman of the Committee on Foreign Relations, I wish to announce that the committee has scheduled a hearing on the International Coffee Agreement, 1968 (Ex. D, 90-2) at 10 a.m. on Tuesday, May 28 in room 4221 of the New Senate Office Building.

Persons wishing to testify on this agreement should communicate with Mr. Arthur M. Kuhl, chief clerk of the Committee on Foreign Relations.

NOTICE OF HEARINGS ON FEDERAL CREDIT UNION BILLS, S. 3002, S. 3214, AND S. 3395

Mr. PROXMIRE. Mr. President, I wish to announce that the Subcommittee on Financial Institutions of the Committee on Banking and Currency will hold a hearing on Thursday, May 23, 1968, on the bills, S. 3002 and S. 3214, to amend the Federal Credit Union Act, and the bill, S. 3395, to authorize the Bureau of Federal Credit Unions to conduct consumer credit counseling programs.

The hearings will commence at 10 a.m. in room 5302, New Senate Office Building. Persons desiring to testify or to submit written statements in connection with these bills should notify Mr. Kenneth A. McLean, room 5306 New Senate Office Building, Washington, D.C. 20510; telephone 225-3024.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum. The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, will the Senator yield for a unanimous-consent request?

Mr. YOUNG of Ohio. Yes.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the distinguished junior Senator from Ohio may proceed for 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Ohio is recognized.

OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1967

Mr. YOUNG of Ohio. Mr. President, the Omnibus Crime Control and Safe Streets Act reported by the Committee on the Judiciary is essentially an abominable legislative proposal and presents one of the most serious attacks in our Nation's history against individual privacy and the concept of due process of law. Under the guise of providing law enforcement assistance, this legislative

proposal would overturn recent Supreme Court decisions protecting the civil liberties of individual citizens, permit greater use of electronic eavesdropping devices, and condone more widespread wiretapping.

While the bill does contain some meritorious features in that it provides a semblance of gun control and some features of the safe streets measure recommended by the President, I would prefer to see no legislation at all rather than to vote for the proposal as reported by the Judiciary Committee.

Title I of the bill authorizes Federal financial assistance in the form of grant programs to State and local governments to strengthen and improve law enforcement. It provides for a total authorization of slightly more than \$100 million for fiscal years 1968 and 1969 and \$300 million for fiscal year 1970 for this purpose. Insofar as it goes, this is a needed legislative proposal and should, in a separate bill, be enacted into law as soon as possible.

Mr. President, title II of the bill is a manifest attack on the Supreme Court of the United States. It would have the effect of reversing the Court's *Mallory* and *Miranda* decisions and invite a return to third degree police practices which in the past have been standard operating procedure in many police station houses and detective bureaus throughout the Nation. I am able to speak with some authority on this subject, having served as chief criminal prosecuting attorney of Cuyahoga County, Ohio, and having prosecuted many felony cases.

This bill would allow police to arrest and question suspects in total disregard of their constitutional rights to be free from arrest on mere suspicion, to be free from compulsory self-incrimination, and to enjoy the advice of counsel to the extent to which an individual is now entitled.

It cannot be said with authority that the *Miranda* decision has seriously hampered law enforcement. Each of the two major field studies published to date on the impact of that decision—one by the *Yale Law Journal*, the other by two professors at the University of Pittsburgh Law School—has concluded that the impact has been small and that the decision has had little effect on police practices or the control of crime. Also, the so-called *Mallory* rule, declaring inadmissible in evidence in a Federal court any confession obtained from an arrested person who is not taken before a magistrate or other judicial officer "without unnecessary delay" as required by rule 5(a) of the Federal Rules of Criminal Procedure, is based on sound law enforcement policy. Prompt arraignment of arrested persons is necessary in a free society which values the fair administration of criminal justice. Prolonged incarceration and interrogation of suspects without giving them the opportunity to consult with friends, family, or counsel is surely not in keeping with our principles of justice.

Furthermore, title II would forbid the Supreme Court of the United States from reviewing State court rulings admitting confessions found to be voluntary—no

matter how fictitious or erroneous the finding of the State court might be. It would narrowly restrict the power of Federal courts to grant writs of habeas corpus in connection with persons in the custody of State authorities. It would also overturn the recent Supreme Court decision in *United States against Wade* in which the Court held that an in-court identification of a suspect by an eyewitness is inadmissible unless the prosecution can show that the identification is independent of any prior identification of the witness while the suspect was in custody, and while his court-appointed lawyer was neither notified nor present.

The requirement in the *Wade* case is unlikely to place an undue burden on law enforcement. The Supreme Court suggested that a variety of procedures could conveniently be used by law enforcement officials to insure fair and impartial police lineups. The Court suggested appropriate alternative procedures that could be used in circumstances where the presence of a suspect's counsel at a lineup was likely to cause prejudicial delay or obstruction of the confrontation. The opinion offered workable guidelines for achieving a reasonable accommodation between the requirements of law enforcement and the rights of individuals accused of crime. The proposed legislation while dispensing with the procedural safeguards established in the *Wade* decision does not even attempt to establish effective alternative safeguards in lieu of the requirements in that decision. Instead, the pertinent section of the bill is a blanket provision making eyewitness testimony admissible in all circumstances whether or not even the most fundamental and time-honored requirements of due process have been met in the identification, let alone the requirements of the right to counsel under the sixth amendment to the Constitution of the United States, one of the first 10 amendments, which we affectionately call the Bill of Rights, and which were written into our Constitution on the demand of those patriots who won the War of Independence.

In all probability, those provisions of this proposed legislation on police interrogation and eyewitness testimony if enacted into law would themselves be declared unconstitutional by the Supreme Court of the United States, and in that process the orderly procedure of justice would be seriously disrupted and impaired.

It is likely that those provisions limiting the appellate jurisdiction of the Supreme Court and constricting the habeas corpus jurisdiction of Federal courts would also be held unconstitutional. Since no Congress in our Nation's history has ever enacted such extreme curtailment of the authority of the Federal judiciary, there has been no occasion for the courts to decide upon such issues. Those who believe that the Supreme Court has misinterpreted the Constitution and that there is a need for a change in its jurisdiction and authority should proceed through the only method established under our system of law—by amending the Constitution of the United States.

In my view, recent decisions of the U.S. Supreme Court protecting the rights of accused individuals are important safeguards and guarantees of individual liberty and should be maintained. Existing law is designed to assure that confessions are voluntary, that police line-ups are fair, that arrangements are prompt and that defendants receive a full and fair hearing.

The proposals in title II are a serious threat to the Constitution of the United States. To me, it appears clear that these provisions are unconstitutional. I could not in good conscience vote for this bill unless such proposals and provisions are eliminated altogether. They present a grave threat to the basic principles on which our Nation was founded—to our basic concept of separation of powers, to Federal supremacy, to judicial independence—in short, to our most cherished ideas of justice and the rule of law. A great blow would be struck against individual freedom and liberty were they to be enacted into law.

Mr. President, title III of this bill, in a way, is even more outrageous. It would authorize, under a specious and entirely phony court order system, widespread eavesdropping by State and local police as well by Federal authorities in connection with a vast number of suspected offenses. Wiretapping, bugging and use of electronic eavesdropping in general are repugnant to our historical concepts of privacy, justice and fair play for all. The enactment of this proposal would wantonly throw away the great Anglo-American tradition that a man's home is his castle—the invaluable heritage of privacy and of freedom from arbitrary intrusion by the police. We must continue to protect what Justice Brandeis termed “the right most valued by civilized men”—the right of privacy.

Mr. President, very definitely I am convinced that wiretapping and the use of any electronic devices or the practice of “bugging,” so-called, are procedures that are repulsive to all liberty-loving people, and should not be tolerated.

As a former chief criminal prosecuting attorney, I believe now as I believed then that certain punishment, like a shadow, should follow the commission of a crime or of any unlawful act of violence. Rather than to encourage greater invasion of individual privacy, I would favor enactment of legislation to prevent law enforcement or other officials of our Government from engaging in or authorizing so-called “bugging” of conversations between any persons whatever. We should outlaw all wiretapping, public and private. I am opposed to any legislation permitting wiretapping, even if such wiretapping were authorized by a U.S. district judge, except only when clear and convincing proof is offered and it is determined by the U.S. district judge that the security of the Nation itself would be jeopardized and endangered unless such action were taken.

Very definitely, I think all Americans would do well to reread the first 10 amendments to the Constitution of the United States, which we affectionately term the Bill of Rights. These amendments were adopted on demand of those

patriots who won our War of Independence. Except for the fact that these demands were adopted by the Congress and by the legislatures of the Thirteen Original States, that Constitution adopted by the members of the Constitutional Convention sitting in Philadelphia, presided over by George Washington, would not have been adopted and ratified by the several States at the time it was.

Title IV of this bill is a watered-down gun control proposal which places some restrictions on mail-order traffic in firearms other than rifles and shotguns. It is encouraging that some legislation regulating the sale of firearms has finally been reported favorably from the Judiciary Committee. However, the committee recommendations are too weak in their impact and too narrow in their scope.

Indeed, it is outrageous that we continue to tolerate laws which make it so easy for a criminal, an insane person, a drug addict or a child to obtain firearms. Effective gun regulation will require State action. However, Congress also has a responsibility to do what it can to minimize bloodshed and death resulting from the widespread abuse of firearms.

It is important that the firearms industry begin to police itself. A licensed dealer is the person best situated to be sure a purchaser is not a felon or a minor, and that the purchase would not be in violation of any State or local law. Continued failure to regulate in some manner the sale and the mail-order traffic in rifles and shotguns makes State and local laws impotent and State and local enforcement officials virtually helpless. A stronger gun control such as has been proposed would not inconvenience citizens desiring to own weapons and have them in their homes for legitimate purposes.

If we do not take these essential steps with respect to long arms and to the sale of weapons in general, we cannot say to ourselves or to the citizens of this country that we have passed meaningful and effective gun control legislation.

Mr. President, the bill under consideration is not as it purports to be—a Crime Control and Safe Streets Act. While it does contain some features which would assist law enforcement officials in controlling crime, it is in essence an assault on liberty in the guise of crime control. Those sections of it which would restrict and seriously and gravely endanger the civil liberties and civil rights of all Americans should be rejected after and in the course of the debate on this measure.

PRESIDENT JOHNSON PAYS TRIBUTE TO VOCATIONAL EDUCATION

Mr. JORDAN of North Carolina. Mr. President, last week, President Johnson met in the White House with representatives of the Vocational Industrial Clubs of America. The group presented to the President, a gavel and sounding block in recognition of his efforts on behalf of vocational education. The wood in the gavel came from the Hermitage, Andrew

Jackson's home in Nashville, Tenn., and from the Old State House in Springfield, Ill., where Abraham Lincoln served. The sounding block was made of wood from the Hyde Park estate of Franklin D. Roosevelt. The gavel was made by a 16-year-old, Terry Lovelace, of Sparta, N.C.

In his response, the President noted that he had enjoyed a long association with Members of Congress from North Carolina, and that his own grandfather had come from North Carolina.

After reviewing the long history of vocational education legislation, the President concluded:

We see that it is paying off in all of you.

I ask unanimous consent that the text of the President's remarks to these young Americans be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS OF THE PRESIDENT TO REPRESENTATIVES OF THE VOCATIONAL INDUSTRIAL CLUBS OF AMERICA, THE CABINET ROOM, MAY 10, 1968

I am very proud of what we have been able to do in the vocational education field.

I have observed nothing in my contacts with young people—and I have two or three groups a day, in the hope that I can learn something from them and keep contact with them, and maybe they can learn something from coming here—that pleased me more than your presentation. I don't think I have ever heard a better one.

The fact that you were aware that you were in the presence of Jackson, Lincoln, and Roosevelt, and tied it into the remarks you had to make, and where the wood came from, is just another indication that our school system is doing a pretty good job in this day and time.

All we hear sometimes are challenges to our future. A lot of people wonder about what our young people are doing, then we see a demonstration like you put on here this morning. It makes me think that every dollar we have invested in our schools has been returned with interest.

Yes, I served with Mr. Doughton of North Carolina for a long time. He was a great leader of the Ways and Means Committee. I have had a rather intimate association with the Members of Congress from your State. My grandfather came from your State.

I am so proud we are producing 18-year-olds in this Nation who can come in the presence of the President in the Cabinet Room and probably make a better presentation than either the President or the Members of the Cabinet. I hope the people you represent are as proud of you as I am. I hope you will tell your family what an excellent job the President thought you did.

We are very, very strong for vocational education. We are very proud of the landmark legislation we passed. Under 35 Presidents, the primary legislative matters in the educational field were in the field of vocational education, the George-Deen Act, the Smith-Hughes Act, and creating the Office of Education itself, in Andrew Johnson's time.

But when you added all of those educational matters together, you had less than you could count on your fingers in 35 previous administrations. Because the emphasis has been on learning and moving forward in the 21st Century, and the need to know, driving ignorance from our midst, we have passed three times as many bills in the last four years in the educational field as we did in all the other 35 administrations put together. We see that it is paying off in all of you.

Thank you.

NEW FISHING LAKES PLEASE FISHERMEN AND COMMUNITIES IN ARIZONA

Mr. HAYDEN. Mr. President, the 187 million acres of national forest land already have 15,600 natural lakes for use by the fishing public, but, through cooperative action with State fish and game departments, the Forest Service of the U.S. Department of Agriculture is adding more where they are needed—such as in the Southwest and Arizona. Besides making fishing more accessible to many, the popular program is stimulating local economies.

It is a big "public" served by national forest fishing waters. In 1967, the national forests attracted 13.9 million visitor-days of fishing use. A visitor-day is equivalent to a stay of 12 hours.

Under the terms of the formal work agreements in developing new fishing lakes, the Forest Service generally surveys and clears the site, develops the access road system, and installs recreational facilities.

The State builds dams, stocks the impoundments with fish, and usually handles maintenance of dams and fishery. Actual work by each agency may vary, depending on available financing and other local arrangements.

These impoundments are being added to an already formidable inventory of fishing waters available: 84,500 miles of streams, 15,600 natural lakes with 1.4 million surface acres, and 2,630 reservoirs with 903,000 acres.

In Arizona, where water is often scarce, four new impoundments have appeared in national forests in recent years.

Bear Canyon Lake, which was constructed in 1964 by the State game and fish department at a cost of \$175,000 under a cooperative habitat improvement program, last year recorded 7,500 visitor-days use, mostly by fishermen. It is estimated the rural communities of Heber, Payson, and Winslow received financial benefits totaling \$83,900—\$11.19 per visitor per day.

In the same Sitgreaves National Forest, the area of the Woods Canyon Lake had practically no recreation use before the lake was built by the State game and fish department for about \$164,000. In 1967, some 89,500 visitor days were recorded. The rural communities of Heber, Payson, Overgaard, Snowflake, and Winslow benefited an estimated \$1,066,000, as a result.

In the Coronado National Forest, the State game and fish department built Parker Canyon Lake for \$334,600 in an area which had previously had little recreation use. Last year the 132-acre lake recorded 9,700 visitor-days for benefits to the local economies of Patagonia, Sonoita, Canelo, Elgin, Nogales, and Bisbee of \$115,000.

On the same forest, the showing was spectacular after the construction of Pena Blanca Lake. In an area where fishing was practically nonexistent, the 1967 record was 98,900 visitor-days, resulting in a boost to the economy of \$1,178,000 for Nogales, Pena Blanca, and Tubac. Its surface area is 49 acres.

This cooperative activity between the

Forest Service and State of Arizona agencies is of vast benefit to the State.

RURAL PROGRAMS NEEDED

Mr. BYRD of West Virginia. Mr. President, much of what has come to be known as the urban crisis has been caused by the migration of former farmworkers and other rural residents into the cities.

An interesting editorial published in the Washington Post of Sunday, May 12, points out that a recent poll indicates that a majority of Americans would prefer to live in the country instead of the city. If this be true, and I believe that it is, then it seems to me that we are overlooking an important possibility in not trying harder to get the poor in our cities to emigrate to rural areas through job or other inducements.

Surely programs can be devised to make such emigration attractive. America until very recently has been a rural-oriented nation. I believe that that fact should be taken advantage of in our attempts to deal with the crisis in the cities.

I ask unanimous consent that the Post editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SLUM EMIGRATION

A recent survey by the Gallup Report, showing that 56 per cent of Americans would prefer to live in rural America, has a special relevance now, when many are urging relocation as one solution to the problems of urban slum dwellers. The report indicates that the number of citizens preferring city life has dropped from 27 per cent in 1966 to 18 per cent in 1968. Those preferring suburban life dropped from 28 to 25 per cent. Those preferring small towns dropped from 31 to 29 per cent. The number preferring the farm rose from 18 to 27 per cent.

No doubt sheer nostalgia contributes to the high farm figure to some degree. But it is a remarkable disclosure of preference in a society where 70 per cent of the people are urban dwellers and where only 6 per cent of the people live on farms.

The National Advisory Commission on Civil Disorders strongly recommended emigration from urban slums as an alternative of an *apartheid* society in America. What the Gallup Report indicates is a preference for rural life that seems to show this might be feasible. Another part of the study shows that there are job shortages in rural America that could absorb much urban unemployment. A third of all Americans live in central cities where the unemployment rate is high, according to Gallup. He found that half this number would prefer to live in suburbia, small towns or in farming areas. The task of getting rural jobs and discontented slum dwellers together ought not be beyond our ingenuity.

DISTURBANCES ON COLLEGE CAMPUSES

Mr. MCINTYRE. Mr. President, the recent disturbances at Columbia University—and similar outbreaks at other campuses throughout the country—have been deeply disturbing, especially in light of the riots, burning, and looting that have plagued many of our Nation's cities in recent weeks and months.

But just as riots in our large-city Negro ghettos will not be cured by repres-

sive and retaliatory countermeasures, neither will the student disturbances on our college campuses be cured by some of the punishments suggested in recent days by several overzealous lawmakers.

I refer to proposals that students who have participated in these disturbances be denied Federal loans and scholarships.

This is no way to cure campus insurrection, and this is no way to teach these irresponsible young men and women to become responsible members of a free society.

The answer lies in reform of academic institutions and by clearer enforcement of campus rules and regulations, not in repressive fiscal and financial sanctions which overreact to the problem and do nothing to encourage a sound solution to the irresponsible behavior of a minority of our young college men and women.

Mr. President, this morning's New York Times contains an excellent editorial which goes to the heart of this problem and its eventual solution. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

CAMPUS COERCION

The threat by the House to punish rebellious college students by cutting them off from Federal loans and scholarships is a dangerous excursion into political primitivism. The disregard of campus democracy by a minority of disruptive and irresponsible students at Columbia and elsewhere in no way justifies such Congressional vendettas in direct conflict with democratic freedoms. Campus stability must be safeguarded by sound reforms on the part of the academic community and by enforcement of its own democratic rules, not by governmental threats of fiscal sanctions.

It is deeply disturbing that so many politicians appear to think of Federal subsidy of students as an indulgent uncle's benefaction. In reality, the extension of educational opportunities is at least as vital to the future health of the nation as it is to the personal careers of individual students. But, more important, to turn Federal stipends into a device to regulate student views and behavior is to stoop to methods generally associated with totalitarian states. Such action can only give support to those extremists among today's students who charge that the campus is doing the mercenary bidding of a repressive establishment.

Federal interference with higher education is an intolerable violation of academic freedom. To permit such intrusions would undermine the nation's security far more severely than the disruptive insurrection of irresponsible youths.

LEADERSHIP OF POOR PEOPLE'S MARCH FACE GRAVE RESPONSIBILITIES—MUST AVOID DISRUPTING GOVERNMENT AND SHUN INVOLVEMENT WITH ANTI-AMERICAN INFLUENCES

Mr. RANDOLPH. Mr. President, the Poor People's March on Washington has begun. The leadership of this effort face grave responsibilities, not the least of which are to exert every effort to avoid any disruption of the functions of Government, either in the executive or legislative branches. Equally, the leadership of the march must shun involvement

with Communists and avoid any complicity with anti-American influences.

On May 2, 1968, in this forum, I brought to attention the fact that in the poor march leadership's advance conversations here with Cabinet officials and other high-level Government executives I noted the presence in the group of David Dellinger. I referred to Dellinger as a self-professed Communist on the basis of a May 1963 speech in New York before the Militant Labor Forum. On that occasion, Dellinger was quoted as having said: "I am a Communist," and qualified this statement only slightly by describing himself as "a non-Soviet Communist." Since that time, Dellinger has denied that he is a Communist, but never denied having made the remarks attributed to him before the Militant Labor Forum. It is further recorded that in a speech at Yale University in 1965, Dellinger said he was not a Communist but that he did not mind working with them.

In fact, in late 1966, Dellinger visited North Vietnam and Communist China. Last fall, he returned to Hanoi and had a personal interview with North Vietnamese President Ho Chi Minh. In 1964, he had visited and praised Cuba under its Communist leader, Castro. This is the same David Dellinger who, during World War II, refused to serve even as a conscientious objector and consequently served a 3-year prison sentence. This is also the same David Dellinger who was one of the leaders of the march on the Pentagon last fall who urged the participants to "storm" the Pentagon in defiance of law and order and against the orders of the U.S. marshals who sought to prevent violence. This is documented.

I sincerely hope that anti-American influences are absent or have been purged from the leadership of the present march and that in all of its aspects it will be conducted as a law-abiding and thoroughly peaceful exercise of the right to petition. I believe in this right.

But, Mr. President, I ask unanimous consent to have printed in the RECORD an article entitled "Guerrilla Warfare Inside the United States," written by David Lawrence, and published in the Washington, D.C., Evening Star and other newspapers on May 6, 1968.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

GUERRILLA WARFARE INSIDE THE UNITED STATES
(By David Lawrence)

The tendency here has been to brush aside the theory that Communist influences may have played a part in America's riots and disturbances. Even the President's Commission on Civil Disorders in its recent report said it had found no evidence of "conspiracy." But it depends on what technical meaning is given to the word, as unquestionably there are many leaders and participants in the riots who didn't have to be recruited by any Communists, and there are some who have helped to instigate a form of guerrilla warfare.

Today Congress has before it a formal report submitted by the House Committee on Un-American Activities which gives the background of the Communist conspiracy in the last few years inside the United States in relation to the disorders that have cost so many lives and caused considerable damage to private property. Chairman Edwin E. Willis, D-La., in a foreword to the report says in part:

"A few years ago the overwhelming ma-

jority of Americans—including those best informed about security matters—would have scoffed at the idea of guerrilla warfare operations in the United States directed against our government. Today this idea does not seem as fantastic and ridiculous as it did a relatively short time ago.

"During the 1964 Harlem riot, Jesse Gray, the former Harlem organizer for the Communist party, called for guerrilla warfare against the United States. This committee has received testimony indicating that agents of North Vietnam have trained some Americans in guerrilla warfare in Cuba.

"The Progressive Labor party, the major Peking-oriented Communist organization in the United States—again, according to testimony received by this committee—has distributed literature not only calling for guerrilla warfare against this country, but even spelling out how it should be conducted.

"Stokely Carmichael, speaking apparently for the ultramilitant black nationalist element in this country, recently stated: 'Our movement is progressing toward an urban guerrilla war within the United States itself.'

"There can be no question about the fact that there are mixed Communists and black nationalist elements in this country which are planning and organizing guerrilla-type operations against the United States.

"This committee report is designed to alert the Congress and the American people to the plans and the strategy of some of these elements—to alert them to the fact that what seemed absurd a few years ago may not be so farfetched today. . . .

"Today a new threat is arising—a threat created by a mixture of Communists and ultraracist conspirators."

There follows a report of more than 30,000 words giving information about Communist-related activities in the riots in Cleveland, Watts and other places. The committee in its conclusion says the advocates of guerrilla warfare are assuming that most Americans will discount the possibility of guerrilla operations, and that the Communists are "counting heavily on the fact that most Americans will be mentally and emotionally, as well as physically, unprepared."

Just a few days ago Senator Jennings Randolph, D-W. Va., in a speech to the Senate which got relatively little attention, named David Dellinger as active in helping to organize the Poor People's March on Washington. The West Virginia senator referred to Dellinger as "a key organizer and perhaps chief proponent of the 'March on the Pentagon'" last fall, who had publicly announced that he is "a non-Soviet Communist."

Randolph said that the leader of the so-called Poor People's March, the Rev. Ralph Abernathy, "surely knows the record of David Dellinger," and asked: "Why does Rev. Abernathy permit or encourage this anti-American perpetrator of violence and hate to stand by his side in conferences with members of the Cabinet of the United States?"

Comments like these have been rare on the floor of the House or Senate, but there is a mounting trend toward a full discussion of the ways by which the Communist movement in this country is associating itself with the "marches" and "demonstrations."

Up to now even extreme utterances have been passed by as coming within the domain of "free speech," but members of Congress are beginning to take the view expressed by Randolph—namely, that "the right of petition becomes a mockery" if those who come to Washington to seek a redress of wrongs also "seek to disrupt their government and break our laws."

HAWAII PROPOSED AS SITE FOR INTERNATIONAL DECADE OF OCEAN EXPLORATION

Mr. FONG. Mr. President, 2 months ago, President Johnson announced that

he has instructed the Secretary of State to explore with other nations their interest in jointly launching an international decade of ocean exploration for the 1970's. Because other nations are also seeking to exploit the promise of the seas, the President said the United States should invite and encourage their interest, for the oceans that cover three-fourths of our globe affect the destiny of all mankind.

The President pledged that the United States will:

Work to strengthen international law to reaffirm the traditional freedom of the seas;

Encourage mutual restraint among nations so that the oceans do not become the basis for military conflict; and

Seek international arrangements to insure that ocean resources are harvested in an equitable manner, and in a way that will assure their continued abundance.

On that occasion, in remarks in this Chamber, I hailed the President's proposal as "a most exciting and challenging concept." It is encouraging to know that the Department of State has acted promptly to consult with other nations on the steps that could be taken to expand international cooperation and understanding of the oceans.

An informative and useful editorial on the "International Decade of Ocean Exploration"—IDOE—was printed on May 8 in the Honolulu Star-Bulletin, titled "For Inner Space, a Hawaii Base." After explaining and supporting the proposal, the editorial offers the suggestion that Hawaii be considered as the headquarters site for IDOE. Said the editorial:

We (Hawaii) offer a community that has an intense interest in oceanography and one that can be said to be centrally located as regards the maritime nations of the world. Hawaii already has been chosen as a site for a number of East-West meetings. Its East-West Center gives it an ideal backdrop for many such sessions. Here is a hospitable climate at a crossroads in the world's greatest ocean.

In recent years and months, Hawaii indeed has been a hospitable setting for international conferences and meetings on marine affairs. Scientists and others from many countries have convened in Honolulu for discussions on ocean-related topics, such as fisheries, ocean currents, and tsunamis. More multinational meetings are anticipated in the future, as Hawaii grows in importance as a world center of ocean science and technology.

The Star-Bulletin is to be commended for advancing Honolulu as the headquarters site for IDOE. I strongly recommend that the Federal officials involved give this suggestion early and serious consideration.

I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FOR INNER SPACE, A HAWAII BASE

President Johnson has taken a significant initiative toward making the exploration of inner space quite different from that of outer space.

In lieu of the intense Russian-American rivalry in outer space, the President has proposed that the two nations cooperate in

an International Decade of Ocean Exploration (IDOE).

He has suggested that governments all over the world pledge themselves to cooperative deep sea exploration for a 10-year period that could begin in 1970.

Some 46 nations, attended a State Department briefing on the proposal, though without making any commitments on participation.

The U.S. visualizes its contribution at \$3 to \$5 billion over the decade and suggests a like amount from the U.S.S.R.

The antagonisms and unnecessary duplications of the space race would be minimized. Cooperation would be the keynote.

The total U.S.-U.S.S.R. contribution of \$6 to \$10 billion would come to 60 to 80 per cent of the total cost of IDOE, a reflection of the fact that the oceanographic fleets of the two nations are 60 to 80 per cent of the world total.

Much of the contribution, in the case of both nations, would be money they would be spending anyway—but a greater total return would be realized through the joint effort.

IDOE is visualized as starting modestly sometime around 1970, building up to a first peak of activity two years later and building to a period of maximum activity about mid-decade when a variety of new platforms, including ships and buoys, come into use.

The principal product of IDOE will be oceanographic data. But its planners also visualize progress toward worldwide standardization of instruments and the establishment of international calibration facilities.

Prospects of U.S.S.R. participation in IDOE are hopeful, but no nations have yet made firm commitments to the plan.

Readers will be fascinated to note in this connection that international cooperation in oceanic exploration is for the U.S. as old as the nation itself—and not really a new idea of President Johnson's.

On March 10, 1779, at the height of the American Revolution, Benjamin Franklin wrote a letter urging American ships to give safe conduct to Capt. James Cook, the British navigator, on his return from his voyages of exploration in the Pacific.

Not knowing that Cook had been killed in Hawaii three weeks earlier, Franklin wrote that Cook's early return to Europe was expected. "Consider her not as an enemy," Franklin urged of Cook's ship and asked that Cook be given any needed help.

He spoke of the voyage of the "celebrated navigator . . . to make discoveries of new countries in unknown seas" in these terms:

"An undertaking truly laudable in itself, as the Increase of Geographical Knowledge facilitates the Communication between Distant Nations, in the exchange of useful Products and Manufactures and the extension of Arts, whereby the common enjoyments of human life are multiplied and augmented and Science of other kinds increased to the benefit of mankind in general."

IDOE, too, can be an undertaking truly laudable in itself.

As IDOE plans move forward, we respectfully suggest that an ideal headquarters site for it would be Hawaii, where Capt. Cook died just two centuries before the end of IDOE.

We offer a community that has an intense interest in oceanography and one that can be said to be centrally located as regards the maritime nations of the world.

Hawaii already has been chosen as a site for a number of East-West meetings. Its East-West Center gives it an ideal backdrop for many such sessions.

Here is a hospitable climate at a crossroads in the world's greatest ocean. Russian oceanographers already have visited here several times aboard the research ship Vityaz and found their community reception a warm one.

Communications from Hawaii are excellent.

Pending new air routes will make the islands even more of an air hub than now.

Honolulu as the headquarters for IDOE is a proposal that should be advanced early and seriously.

MONEY COULD BE BETTER USED

Mr. BYRD of West Virginia. Mr. President, the cost of the so-called Poor People's Campaign, which is now underway in Washington, is put at a figure of at least \$1 million, according to an article published in today's New York Times.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

COST OF POOR PEOPLE'S MARCH IS PUT AT \$1 MILLION—SCLC AIDE SAYS FUNDS ARE 70 PERCENT SHORT OF GOAL SET THROUGH JUNE 30

(By Walter Rugaber)

ATLANTA, May 12.—The Southern Christian Leadership Conference expects its Poor People's Campaign, an antipoverty drive converging on Washington this week, to cost at least \$1-million in cash and materials.

William A. Rutherford, executive director of the conference, said in an interview yesterday that only about 30 per cent of the resources budgeted for the campaign through June 30 had been obtained so far.

"People have the idea that we're raising tremendous sums of money," Mr. Rutherford said. "That is not the case at all, not at all." He and other conference officials seemed confident, however, that the goal could be met.

Contributions to the organization's Martin Luther King Memorial fund have been earmarked for some type of monument to the conference's assassinated president, Mr. Rutherford said, and cannot be tapped for the Washington effort.

He refused to disclose the amount received by the memorial fund, asserting that it would be "very indiscreet" to do so. Also, he said, the money has been collected at different locations and a total has not been figured.

ADDITIONAL EXPENSES

The \$1-million needed for the Washington campaign is in addition to the conference's ordinary operating expenses for items such as salaries and regular civil rights activities. On these, the organization normally spends about \$1-million a year.

The additional \$1-million is required for a wide variety of items. Mr. Rutherford cited medical equipment, shower heads, sewage systems, electrical wiring and telephone lines. Air mattresses and sleeping bags will cost \$39,000, he said.

Dieticians working on the Washington campaign have placed the cost of meals for each participant at \$1.30 a day, Mr. Rutherford said, and if 4,000 join the effort the food bill will reach \$5,200 a day.

The number expected to camp in Washington for at least two weeks and possibly longer may go above 4,000. The Rev. Andrew J. Young, executive vice president of the conference, said that as many as 10,000 persons might participate.

Transportation is the major financial problem, Mr. Rutherford said. He pointed out, for example, that it would cost the organization \$3,900 to transport 50 persons from Los Angeles to Washington by bus.

An advance contingent that arrived in Washington today to erect housing for the antipoverty demonstrators traveled from Marks, Miss., on 10 Greyhound buses that cost the conferences \$11,703.

More than \$1-million would be required if the campaign went beyond June 30, Mr. Rutherford indicated. There has been talk among the organizers of demonstrating at

both political conventions later in the summer.

Mr. Rutherford estimated that about 75 per cent of the expenses would involve cash, with donations "in kind" making up the balance. He said the \$300,000 raised so far included both types of contributions.

The largest cash donation reported so far was \$25,000 from a supporter who asked to remain anonymous. One of the smallest was 37 cents, handed in by an unidentified Negro who appeared briefly at the conference's headquarters here.

Other poor people who cannot make the trip, Mr. Rutherford said, have contributed a loaf of bread or a pair of worn tennis shoes. Negro women in Crawfordville, Ga., sewed 1,000 blue denim jackets.

There have been donations "in kind" from more well-known sources. For instance, Mr. Rutherford said, mobile telephones have been installed free in vehicles on many sections of the march by the American Telephone and Telegraph Company.

TRIBUTE TO SENATOR HRUSKA

Mr. CURTIS. Mr. President, my able and distinguished colleague from Nebraska, Senator ROMAN HRUSKA, recently passed an important milestone in his life and his service in the Senate. The Omaha World-Herald, Nebraska's largest newspaper, took occasion to herald this event in its editorial column on Tuesday, May 7. I ask unanimous consent that the World-Herald's editorial be printed in the RECORD so that all Members of Congress may know of the high esteem in which Senator HRUSKA is held, not only by his colleagues but also by the people of Nebraska.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ROMAN HRUSKA'S MILESTONE

Today is a milestone in the life, and political career, of Senator Roman Hruska.

He has just passed the late Hugh Butler in tenure of Senate service, and thus is second only to George Norris in length of time a Nebraskan has represented his state in the Senate.

Mr. Hruska, now with 13 years, five months and 29 days as a Senator, still has quite a long way to go to equal Senator Norris with his five full terms—30 years. Well, not quite 30 years, because the Lame Duck amendment came along and that stopped Mr. Norris a couple of months short.

Mr. Hruska can take pride in his steady advancement from junior Senator in 1954 to a position today of influence and respect, to membership in the unofficial but influential group of Senators regarded in Washington as belonging to the Senate's inner circle, or "club."

He is known as a man who does his homework, who works hard on two major committees and whose counsel is often sought by colleagues on both sides of the Senate aisle.

Roman Hruska probably has no ambition to pass the Norris mark, for that would take him past his eightieth year. But the hard-working Nebraskan, whom many Omahans first knew as a member of the Douglas County Board, looks good for many more years of active and efficient service to the people of his state.

ACTION IS ESSENTIAL NOW TO WIN HUMAN RIGHTS BATTLE

Mr. PROXMIRE. Mr. President, the United States is determined to do its best to abolish all kinds of discrimination

and violation of human rights to bolster the idea that men everywhere are created equal.

However, the Committee on Foreign Relations delay in acting on the Human Rights Conventions on Forced Labor, Genocide, Freedom of Association, and Political Rights of Women frustrates the hopes of this country for human rights for all mankind. The Dodd subcommittee did an excellent job in hearings on these Conventions but the committee members should take a new, hard look at the treaties, end the consequences of this lingering inactivity and take steps that are long overdue.

Four American Presidents have worked for the establishment of international standards of human rights. Our Ambassadors and delegates to the United Nations, too, have contributed a great deal of effort toward advancing the battle for the universal recognition of human dignity and human rights.

Yet these treaties lie largely ignored in the Foreign Relations Committee.

I again urge Senators to affirm the U.S. commitment to human rights and to the United Nations by voting for the ratification of these Conventions.

RUMANIAN INDEPENDENCE DAY

Mr. JAVITS. Mr. President, May 10 is an important day in the history of the people of Rumania—it is the national holiday of the Rumanian people, commemorating three great events. On this day in 1866 the Rumanian dynasty was established; in 1877 the Principality of Rumania proclaimed its independence from the Ottoman Empire; and in 1881 Charles I was crowned King of Rumania. But independence for Rumania was short lived, as the country was subjugated first by Nazi Germany and then by Soviet Russia.

In spite of the years of Soviet-style domination, the people of Rumania have kept alive their hopes for freedom and eventual independence. The right of self-determination is a basic principal of international justice, and the United States has emphasized over and over again that it is not reconciled to the permanent imposition of Communist domination of the people of Eastern Europe. Therefore, as we commemorate this traditional national holiday of the Rumanian people we must reaffirm our support of their hopes for national self-determination.

THE YANKTON JUNIOR LEADERS

Mr. McGOVERN. Mr. President, permit me to invite the Senate's attention to a rather remarkable youth program called Junior Leaders, which is being operated and funded locally in Yankton, S. Dak.

Sometime ago, a young student at Yankton College, Tom Osborne, of Richfield, Ohio, started playing touch football with grammar school pupils of the Yankton school system. Through his ingenuity and imagination, he soon had 250 boys participating in a supervised Pee Wee Football League. He and his associates now have a program for both boys and girls with courses ranging from dancing to field hockey. Today, in a program of

more than 800 youngsters, there are no delinquent problems, and the children are being given physical fitness training together with a wide variety of sports and cultural activity.

On a recent trip to Yankton, I had the privilege of speaking to this group. Next year, courses in student government are planned, in conjunction with physical activity. I ask unanimous consent that an article published recently, telling of Tom Osborne and his activities, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

STUDENT "DEMONSTRATION" HERE DIFFERS
MARKEDLY FROM OTHER YOUTH MOVEMENTS
TODAY

(By Dale Bruget)

There is a large scale student demonstration going on in Yankton.

But what several hundred young people here are demonstrating is quite the opposite of what is seen in youth demonstrations across the country which regularly rate widespread coverage in the news media.

A handful of college students and a swarm of boys and girls in the lower grades of our elementary schools are busy demonstrating their eagerness to engage in wholesome activity for recreation and physical fitness. They have been getting together four days a week (after school and Saturdays) for games and sports and exercises, and the turn-out and enthusiasm have been so far beyond expectations that other sessions are being added in answer to the demand.

Over 500 children in grades 3-7 are involved; more are expected to join the program when the current basketball season is finished.

But this is hardly a subject for the TV camera or national news bulletin. There is no dramatic rock-throwing, no flag-burning, no violence involved to "make news."

It's noisy. There was a "march" on campus at Yankton College one evening. This is a "mass" demonstration if you count numbers.

But the objectives—fun, body-building, character-development, team spirit, sportsmanship, cooperation, leadership, fair play, responsibility—just don't rate national attention.

National attention itself is, however, no objective in the city-wide youth recreation project launched the end of January by volunteers at Yankton College.

GOOD SUPPORT

The only recognition the college men and coeds are after is the interest and support of parents and other adults in this immediate community. And they have it.

There is a ground swell of approval in Yankton which began with the Pee Wee football program two seasons ago.

More and more parents are becoming interested as their youngsters participate, and more and more civic and service organizations in the community are looking to this program as an outlet for their funds. Several have pledged gifts of \$100; more are contemplating grants. Individuals, too, are getting behind the program by putting their personal checks in the mail.

The money being received is going right to work, buying gym equipment.

But let's have a look at recent developments in the youth recreation program.

Tom Osborne, director, tells about it in personal speaking appearances wherever he is invited. Tonight he is saying a few words at the combined choral concert being presented by Junior High and Sacred Heart Schools; next Tuesday and again on Feb. 26 he is slated to address the PTA, on Feb. 21 he speaks at the Elks Club.

For the enlightenment of those who do not have the opportunity to hear this affable college sophomore from Ohio give his "pitch", here are a few of the special events and highlights he has on tap at the present time.

THEATER PARTY

Arrangements have been made with the management of the Dakota Theater for a special cutrate showing of "The Sound of Music" for the children this Saturday morning. They will be meeting at the college gym (Fargo Memorial Union Building) at 8:15 and trek to the theater together for the three-hour movie starting at 9:30, then they will return to the gym together by 1:30 p.m. The several hundred children will be accompanied by the college student volunteers who are conducting the recreation program.

Incidentally, the name of the project may be changed to Yankton Junior Leaders.

On order are 20 red, white and blue T-shirts which will be worn by selected "leaders" each day. This gave Osborne and his helpers the notion of changing the name from Yankton Youth Recreation to Yankton Junior Leaders.

"The shirts aren't even here yet, but the kids are already competing for the opportunity of wearing them," Osborne says.

Leadership is one of the qualities the YC people hope to develop in the children they are working with.

NEW OFFICE

Starting in the next few days, the Yankton Junior Leaders staff will have an office at Yankton College from which to conduct the business of this city-wide program. Dr. Donald B. Ward, college president, has offered free space in Fargo Memorial Union for this purpose. The office will serve as a communications hub for the program, and people in the community will be encouraged to phone or write their questions and/or suggestions, perhaps even complaints, to that office. Checks may also be mailed there, made out to Yankton Youth Recreation or Yankton Junior Leaders.

Osborne notes that several generous pledges have been received to date, but there is a critical need for "hard cash" right now when purchases must be made.

By their own request, the 7th grade boys will have an intermural basketball program starting Feb. 23. They will be playing at Fargo gym from 4:30 to 6:30. They will be required to make up their own teams and name them. Their coach will be Tom Corraera.

SPECIAL EVENTS

For special entertainment, Dr. Ward of the college has been "booked" for a puppet show and magician's act at the gym March 9.

PURCHASES

Other purchases to date include 10 basketballs, eight volleyballs, one soccer ball, First Aid equipment, soft balls and bats. Some coaching equipment has been donated by Royal Sport Shop. Osborne hopes that a cage ball or two and perhaps a gym dolly can be acquired as soon as funds come in.

The cage ball is a three-foot stuffed plastic or leather ball which is used in a team "pushing" game. The gym dolly is a platform on wheels used for leg and arm exercise.

Arrangements are being worked out for the boys and girls to swim in Benet Pool several times each week, and a water safety program will be incorporated in the fun. Dale Electronics has pledged \$100 toward payment of the swim fees.

Arts and crafts are in demand among the youngsters, and this phase of recreation is being introduced Feb. 20 with Sisters Sharon and Corita of Sacred Heart School as coordinators. They have ordered supplies for drawing, painting, clay modeling and related activities. These materials are proving to be more costly than anticipated, so additional funds are needed, Osborne points out.

NEW ACTIVITIES

New activities for girls have been incorporated, at their own request.

There is now a Tuesday after school session for 5th and 6th grade girls.

The program has been expanded to include a session for 3rd and 4th grade girls on Saturday afternoons.

A 7th grade girls' "cell" group has been formed for discussion. All the instructors meet with this group, when possible, and the children are encouraged to chat informally about such topics as friendship, school affairs, etc.

The girls have asked that Tom Merrill of the Junior High School faculty be invited to speak to them. He was recently named "Outstanding Young Educator" by the Yankton Jaycees. The girls are asking that Merrill come to their session wearing informal clothes (not a suit) and white socks, please.

Girls in the program have also asked for popular dancing lessons (getting ready for school parties).

Their first cheer leading clinic was held last week, and 150-200 girls in 5th and 6th grades attended. This session met with great enthusiasm, and it was followed by a "march" through the campus buildings in support of the Greyhounds. This group of youngsters will, naturally, practice its skills at the 7th grade basketball games.

STAFF STUDENTS

Two Yankton College coeds have been added to the staff of volunteer directors. They are Bonnie Taylor and Phyllis Bachman, joining Linda Humeston and Margaret Smith. In addition, volunteers are now being sought at Mount Marty College. There are five YC men on the staff, Tom Corra, George Knochenhauer, Rod Koenig, Dennis O'Neill and Dennis Chapman.

All the student volunteers are responsible people pursuing majors which are compatible with children's work and recreation, Osborne points out. Their interest and enthusiasm for the program are matched only by the energies and excitements being shown by the children, he adds.

A source of deep satisfaction for the director is the fact that the program has "grown naturally" in Yankton, and that it has merited such city-wide approval and cooperation. He hopes that it will form the root system for a city-funded, Year-around youth recreation effort.

"It's all for the kids; what they want, we've done," Osborne says in an oversimplification of the volunteer program.

For another special attraction, Osborne has made personal contact with South Dakota's two U.S. senators, inviting them here to speak to the boys and girls. Sen. Karl Mundt has accepted for May 24; Sen. George McGovern's date is yet to be confirmed.

By this means, Osborne hopes to introduce the youngsters to the idea of government, and at the same time, capture the interest and attention of the two men in Congress.

Physical fitness drills occupy the first share of the time at each recreation session, and a public contest will be slated later in the season.

COOPERATIVES IN AGRIBUSINESS

Mr. McGEE. Mr. President, the farm credit banks serving the Eighth Farm Credit District, which includes Wyoming, has just purchased copies of a teaching guide called cooperatives in Agribusiness for distribution to every vocational agriculture teacher in my State.

This publication, prepared by the U.S. Department of Agriculture's Farmer Cooperative Service, meets a real need for teaching material on cooperatives and

their place in our private enterprise system.

It is particularly timely because it explains how people at all economic levels can get into the mainstream of American commerce.

The guide points out to students that the cooperative is a corporation that looks about the same and operates in much the same way as any other business. The difference is in motive.

The co-op does not make a profit for itself as a business. It exists because a number of people with a common business or consumer interest find that they as a group can transact business or perform a service more economically or efficiently than each could do individually. This is the cooperative approach.

Other type business firms are motivated by prospective profits on invested capital. Their entire pattern of operations—commodities handled, services performed, operating procedures—is planned and executed with profits as the goal. The reward is unquestioned. We are the world's most productive nation.

Part of this tremendous productivity can be attributed to the cooperative approach as a business instrument. Banks have cooperative clearing houses. Railroads have their express agency. Consumers and other groups have credit unions. Newspapers have a cooperative news collection service. Independent grocers operate cooperative wholesale warehouses. Farmers have marketing co-ops, farm supply co-ops, and service co-ops.

Thus, cooperative business activities are found throughout our economy.

The cooperative approach is one way groups bring greater efficiency to their own operations. It is a way for them to introduce greater competition in a field.

The co-op often serves as a pressure valve in the economy when costs of supplies or services in a particular field are prohibitive. In other cases it assures buyers they are getting the most possible for their money.

Perhaps the greatest value, however, is benefits of a co-op to those trying to gain an economic foothold in farming or in some other business. For these the few dollars gained from cutting costs of supplies or the income earned from finding a market through cooperative action sometimes means more food on their tables.

The cooperative approach also increases their opportunity for business growth. It helps them achieve some of their aspirations.

For these reasons I am glad to see this Farmer Cooperative Service guide explaining the ways of doing business in the United States. Students need to learn about all kinds of business they will encounter in their careers, and the guide places the co-op in its proper perspective in the Nation's economic life.

The farm credit banks—which make loans to farmer co-ops through the banks for cooperatives and to farmers through production credit and Federal land bank associations—are performing a worthwhile service in distributing the guide to schools. I understand the Farmer Co-

operative Service has other requests for many thousands of copies of the publication for schools and youth groups across the country. I think the guide will be an excellent teaching aid for acquainting students with the cooperative enterprise.

SMALL BUSINESS WEEK PROCLAIMED IN WISCONSIN

Mr. PROXMIER. Mr. President, the Governor of Wisconsin has proclaimed this week of May 12 as "Small Business Week" in our State, calling upon chambers of commerce, industrial and commercial organizations, boards of trade, and other public and private organizations to recognize through appropriate ceremonies the tremendous contribution small business has made to American know-how and progress.

This proclamation comes less than 1 week after the head of the Small Business Administration, Robert C. Moot, listed some of the Administration's impressive contributions to the strength of small businesses across the United States in a "state of the agency" message. The message was a preliminary to National Small Business Week which, of course, is also being commemorated this week.

Among the impressive accomplishments of the SBA during the 15 years of its existence are assistance to small firms in getting \$9.9 billion in subcontracts from Federal procurement prime contractors; assistance to 1,500 local development projects producing more than 64,000 jobs; and loans of almost \$100 million to small businessmen displaced by federally aided projects. As former chairman of the Small Business Subcommittee of the Committee on Banking and Currency, I am particularly proud of this record of progress because it is due in part to continuing cooperation between SBA and the Congress.

I salute all of the Nation's small businessmen whose difficulties are at times great, but whose rewards must include the knowledge that they are living testimonials to the vitality of the American dream. I ask unanimous consent that the Wisconsin Small Business Week proclamation be printed in the RECORD.

There being no objection, the proclamation was ordered to be printed in the RECORD, as follows:

A PROCLAMATION

Whereas, small business strength means economic health; and

Whereas, the small businessmen of this State have joined their colleagues across the Nation in strengthening the economic and social roots of the society; and

Whereas, small businesses are close to the American consumer, providing much of the goods and the majority of the services we need in our daily lives; and

Whereas, small businesses are the source of many innovations in products and merchandizing; and

Whereas, the small businessman is a prime investor in his community—investing in people, both those he serves and those he employs;

Now, therefore, I, Warren P. Knowles, Governor of the State of Wisconsin, do hereby proclaim the week of May 12, 1968, as "Small Business Week" in the State of Wisconsin, and I call upon the chambers of commerce,

industrial and commercial organizations, boards of trade, and other public and private organizations to participate in ceremonies recognizing the contribution made by the small businessmen of this state to the progress and well-being of our people.

In testimony whereof, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the City of Madison this twenty-ninth day of April in the year of our Lord one thousand nine hundred and sixty-eight.

WARREN P. KNOWLES,
Governor.

WALTER BEHLEN WINS HORATIO ALGER AWARD

Mr. CURTIS. Mr. President, tomorrow, at the Waldorf-Astoria Hotel in New York City, the American Schools and Colleges Association will present its 22d annual Horatio Alger Awards.

The list of honorees includes such prominent Americans as Comedian Bob Hope, Ambassador Arthur J. Goldberg, and Chicago Bears Coach George Halas.

I am proud to say that it also includes a distinguished Nebraska business and civic leader, Mr. Walter D. Behlen, of Columbus, Nebr. He is the first Nebraskan ever selected for this coveted award.

The award was started several years ago because of a concern over a growing belief among American youth that opportunity was a thing of the past in this country; that it was no longer possible to have a real-life version of the Horatio Alger story.

The American Schools and Colleges Association rejects this notion and chose to demonstrate its confidence in American opportunity by selecting each year nine or 10 men and women who by their own efforts had pulled themselves from a disadvantaged position to success in their fields of endeavor.

Each year hundreds of names of business and professional leaders from all walks of American life are submitted to the nominating committee. After careful screening, some 18 to 20 names are presented to about 3,000 campus leaders in more than 500 colleges and universities. These young leaders then vote to select those whose careers best reflect the spirit of achievement in spite of obstacles. The purpose of taking this vote at the college level is to help impress upon the young people of our Nation that these basic principles are still working in the lives of contemporary leaders in American life.

Mr. Behlen's life typifies the spirit of the Horatio Alger program. He was born, second of nine children, on a small farm outside Columbus. Attaining an education required the utmost effort when sickness interrupted his high school attendance. Five years later, at 23, and while an express driver, he received his diploma.

Behlen Manufacturing Co. was launched in 1936 in partnership with his father and two brothers—Walter Behlen's garage serving as the "factory" where lid clamps for wooden egg cases were fabricated. The company presently has an annual sales volume of \$19 million and manufactures a line of farm products and steel building systems.

Mr. President, I extend warm congratulations to Mr. Behlen on this much merited recognition of his leadership, and I salute the American Schools and Colleges Association for its efforts to demonstrate that opportunity still knocks in America.

NATIONAL SMALL BUSINESS WEEK

Mr. McGEE. Mr. President, this is National Small Business Week. In the Nation's Capital it is being marked by the meeting of the Small Business National Advisory Council. In my own State, small business also is being honored, along with the Small Business Administration. Gov. Stanley K. Hathaway has proclaimed this Small Business Week in Wyoming, calling upon the public to recognize the contributions made by small businessmen of the State to the progress and well-being of the people.

I wish to associate myself with this request and to honor, at the same time, the Small Business Administration for its excellent record of 15 years. The SBA has put more than \$5 billion in loans into small business, provided management assistance where needed, and taken countless other steps toward the strengthening of small business in America. I ask unanimous consent that the proclamation marking Small Business Week in Wyoming be printed in the RECORD.

There being no objection, the proclamation was ordered to be printed in the RECORD, as follows:

PROCLAMATION

Whereas, small business strength means economic health; and

Whereas, the small businessmen of this state have joined their colleagues across the nation in strengthening the economic and social roots of our society; and

Whereas, small businesses are close to the American consumer, providing much of the goods and the majority of the services we need in our daily lives; and

Whereas, small businesses are the source of many innovations in products and merchandising; and

Whereas, the small businessman is a prime investor in his community—investing in people, both those he serves and those he employs;

Now, therefore, I, Stanley K. Hathaway, Governor of the State of Wyoming, do hereby designate the week beginning May 12, 1968, as Small Business Week in Wyoming, and call upon the Chambers of Commerce, industrial and commercial organizations, boards of trade and other public and private organizations to participate in ceremonies recognizing the contributions made by the small businessmen of this state to the progress and well-being of our people.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of Wyoming to be affixed this 29th day of April, 1968.

STANLEY K. HATHAWAY,
Governor.

THE LOSS OF A GOOD MAN

Mr. BARTLETT. Mr. President, I am sorry to note the death last week of Ambassador Z. K. Matthews, of Botswana.

Although he had held his post for less than 2 years, he had earned the respect and admiration of official Washington and his loss will be felt by many.

Botswana is a new country; young and

poor. It has, however, the energy and enthusiasm of youth and it is certainly not poor in its plans and hopes for the future.

It was perhaps surprising, but certainly suitable, that the first ambassador Botswana was to send to this country should be, not a young man but, rather, a man who already had achieved a distinguished career. Ambassador Matthews was not only a diplomat: he was a philosopher, a scholar, a theologian and a lawyer. His work with the World Council of Churches was widely known and appreciated.

Ambassador Matthews, responsible and respected, by his presence here in Washington demonstrated to us all the determination of Botswana to build a new nation, independent and free, trusted and trustworthy.

Mr. President, I ask unanimous consent that an article published in the Washington Post of May 12 be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

Z. K. MATTHEWS: AMBASSADOR OF BOTSWANA

Zachariah Keodirelang Matthews, Botswana's Ambassador to the United States since the African country became independent in 1966, died yesterday at Georgetown Hospital after a brief illness.

Mr. Matthews, 66, had been hospitalized since suffering a heart attack in early April.

A lawyer and educator, Mr. Matthews was appointed ambassador the week after the declaration of his country's independence from Britain in September, 1966. It was formerly the Protectorate of Bechuanaland.

Born in the Republic of South Africa, Mr. Matthews studied law at the University of Fort Hare in South Africa, received a master's degree in law at Yale University and studied anthropology at the London School of Economics.

He taught law at Fort Hare and for many years was an official with the World Council of Churches in Geneva, Switzerland.

He is survived by his wife, Frieda, of the embassy here; two sons, Joe Matthews, a London lawyer, and Itumeleng Matthews, a doctor in Botswana; and a daughter who is a doctor in Botswana.

THE SLOVAKS AND THE PITTSBURGH PACT

Mr. SCOTT. Mr. President, Slovakia, the annual publication of the Slovak League of America, which is holding its Jubilee Congress in Pittsburgh May 19 to 21, includes an article entitled, "The Slovaks and the Pittsburgh Pact," written by Peter P. Hletko, M.D., commemorating the 50th anniversary of the Pittsburgh Pact.

The historical agreement was made in that city in my Commonwealth of Pennsylvania, on May 30, 1918, and was signed in Washington, D.C., on November 14, 1918, by Thomas G. Masaryk, the first President of the Czechoslovak Republic.

Stephen J. Tkach, president of the League, wrote in his introduction to the commemorative edition:

In signing the Pittsburgh Agreement in behalf of the Czech people, Professor Masaryk made it clear that it was the intent of the Czech leaders to make the Czechoslovak Republic a model state in which the world would see a working model of a federation with leadership emanating from the finest of

two distinct ethnic cultures, the Czech and the Slovak peoples.

Dr. Hietko's article is a well documented historical account of the events which led up to and followed the Pittsburgh Agreement. I ask unanimous consent that excerpts from the article be printed in the *RECORD*.

There being no objection, the excerpts were ordered to be printed in the *RECORD*, as follows:

Masaryk finally came to Pittsburgh and on May 30, 1918, the Slovaks there made a tremendous celebration over his visit. Masaryk spoke there first in English, then in Czech. He said beautiful things. He was proud that by birth he really is a Slovak. He prided himself on working many years for the cause of bringing the Czechs and Slovaks closer together. He said that there should be no differences among us.

The next day, May 31st, according to the official report of the Slovak League Press Bureau—The Czecho-Slovak National Council met in the same building and Masaryk attended the session. "At this session," says the report, "Prof. Masaryk performed an act which shall always have historical significance in the history of the Czechs and Slovaks. This act consisted of a new agreement between the Czechs and Slovaks. Professor Masaryk wrote the new agreement himself, and it establishes the relations between the two nations. According to this agreement, Czecho-Slovakia shall be a Republic in which Slovakia shall form a completely self-governed part with its Slovak capitol, its Slovak parliament, its Slovak schools, its Slovak courts of justice and its own (public) control. Albert Mamatey, president of the Slovak League shall get a copy of this agreement. He shall publish it in the near future. Masaryk concluded his mission among the Slovaks in Pittsburgh in this way."

In the meantime, things were happening in rapid succession. The United States Government and the governments of the Allies recognized the fight of the Czechs and Slovaks for their freedom and in fact, made their independence one of the conditions of peace. The Czecho-Slovak Republic was formally proclaimed on October 28, 1918, and was in reality recognized by the Allied powers some time previous to that. An event, however, that is of utmost importance to us is, that in the meantime, Professor Masaryk, the chairman of the recognized Czecho-Slovak National Council, the temporary government of the new Czecho-Slovak State, was elected first President of the Czecho-Slovak Republic by that Council. Immediately Masaryk was asked to leave America and come to the scene where activity was greatest, and where his presence, as of the President, was now needed most. Masaryk left for the Czecho-Slovak Republic on November 20, 1918, from New York on the SS. Carmen.

As soon as the news reached America that Professor Masaryk was elected president and that he was to leave soon, Mamatey, at the insistence of some of the Slovak leaders, went to see Masaryk in Washington before his departure, and there in Washington on November 14, 1918, as the qualified President of the Czecho-Slovak Republic, Masaryk signed the Pittsburgh Pact. The Pittsburgh Pact, which he signed, read as follows:

"CZECHO-SLOVAK PACT

"Agreed Upon in Pittsburgh, Pa., on May 30th, 1918

"Representatives of the Slovak and Czech Organizations in the United States: The Slovak League, the Czech National Alliance, and

the Alliance of Czech Catholics, discussed the Czecho-Slovak question in the presence of the chairman of the Czecho-Slovak National Council, Prof. Masaryk, and the program declarations made up to this time and resolved the following:

"We approve the political program which endeavors to unite the Czechs and Slovaks in an independent state of the Czech lands and Slovakia;

"Slovakia shall have its own administration, its own parliament and its own courts.

"The Slovak language shall be the official language in the school, in office and in public life in general.

"The Czecho-Slovak state shall be a republic, its constitution shall be democratic.

"The organization of the cooperation of the Czechs and Slovaks in the U.S. shall be intensified and arranged with mutual understanding as necessity and the changing conditions shall require.

"The detailed regulations for the establishment of the Czecho-Slovak state are left to the liberated Czechs and Slovaks and their legal representatives."

This is the story of the Pittsburgh Pact. It was implemented for a short time and eventually led to Slovak independence and the Slovak state.

It is still a great historical document that all sincere, conscious and loyal Slovaks revere and respect. The original copy is here in the U.S.A. The delegation of the Slovak League when asked to leave the document in Slovakia in 1938 refused to do so on orders of the entire organization. Even when asked during the existence of the Slovak state to send the document to Slovakia as a historical museum piece, the Slovak League refused, realizing that conditions were not permanent and stable enough and that opponents of the document would seek to destroy it and remove all evidence of the fact that the Slovaks had been promised and guaranteed their rights and autonomy. The Slovak League refused to part with the document and kept it here in America—in safety.

FIREARMS LEGISLATION IN NEW JERSEY

Mr. KENNEDY of Massachusetts. Mr. President, after 4 years steeped in controversy, the State of New Jersey adopted amendments to its weapons control law which, in effect, defined more closely those persons deemed unfit to deal in firearms. The 1966 New Jersey law added to an earlier law requiring permits for purchasers of handguns to include the purchase of rifles and shotguns.

Under this law no person can purchase a rifle or shotgun unless he has obtained a firearms purchaser identification card. In order to obtain a permit to purchase a long gun or an identification card, application must be made with the local chief of police or the superintendent of State police if there is no full-time police department where the applicant resides. Besides requiring certain standards for applicants, the New Jersey law requires the individual to supply his fingerprints which are cleared through local State police and the FBI files to determine his background. No more stringent and effective State law applying to rifles, shotguns as well as handguns may be found in the United States.

The able and respected attorney general of the State of New Jersey, Arthur Sills, a frequent witness before House and Senate committees on gun legisla-

tion, has recently reported to a regional conference of attorneys general on the "Regulatory Effect of the New Jersey Gun Law." I ask unanimous consent that his remarks be printed in the *RECORD*.

For those skeptics who feel that gun legislation will have little or no effect in keeping firearms from those who society deems unfit to possess them—the felon, addict, the juvenile, the mentally incompetent—I strongly suggest you read this report. Furthermore, I suggest to those of you who are overly concerned that any gun legislation, no matter how minimal or unrestrictive, will have a harmful impact on the sportsman, the hunter and hunting licenses—that they, too, read Mr. Sills' informative and enlightening report.

There being no objection, the address was ordered to be printed in the *RECORD*, as follows:

FIREARMS CONTROL LEGISLATION

(Address by Attorney General Arthur J. Sills before Eastern Regional Conference of Attorneys General, Hershey, Pa., May 9, 1968)

Shortly after the tragic assassination of Dr. Martin Luther King, the prominent Swedish historian Gunnar Myrdal stated:

"I love America deeply, but you take the silly idea that everyone can buy a gun. Guns are disappearing in Sweden. I am all against your gun laws. It is argued that the constitution supports them by holding that every citizen has the right to bear arms. Then to hell with the constitution! To allow everyone to have guns today is dangerous." (New York Post, April 9, 1968.)

It is clearly established, of course, that the United States Constitution does not guarantee an individual a right to firearms. Those who argue in this manner distort the second amendment to the Constitution which reads: "A well-regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed."

I. PHILOSOPHY OF FIREARMS REGULATION

Notwithstanding the firearms control issue has traditionally and deliberately been belabored by the gun lobby's resort to erroneous constitutional interpretation, I am of the opinion there is a more fundamental philosophical difference which separates opponents and proponents of gun control legislation.

Throughout the many years I have been involved in the debate over the efficacy of controlling firearms, two philosophies of thought have become readily apparent. On the one hand there are those who believe that all firearms, by their very nature, are dangerous instruments and society, therefore, in order to protect itself, has a right to prohibit the sale of these instruments to dangerous or unfit persons. This group does not quarrel with the privilege of qualified persons to buy and possess pistols, revolvers, rifles and shotguns for legitimate reasons. It is concerned with the equation of dangerous weapons in the hands of dangerous persons. The ultimate answer to that equation is violence and crime. But to negate this equation, it is argued that society must regulate all of its citizens to protect against the indiscretions of a few.

On the other hand, there is a body of thought which seems to be saying there is greater need to protect gun ownership by the minority than there is to protect society against the potential misuse of guns. Firearms are given some sanctified status immune from the rationale of regulatory control. It is also implied that this sanctity extends to gun owners whose interests transcend the interests of society as a whole.

They suggest that, in some mysterious way, the misuse of firearms can be controlled and the protection of innocent men, women and children maintained if we seek to regulate only those individuals who have *already* used their guns for violent purposes. In other words, they would sell firearms, particularly rifles and shotguns, to anyone and would then limit the force of the law only to those who use those firearms to commit crime.

We share the reasoning of those who believe the sale and possession of firearms should be subject to regulatory control just as are other dangerous instruments or items which are part of the contemporary American scene. Moreover, we believe that the most effective method of implementing control is to discriminate between persons fit to possess guns and those persons, who, common sense tells us, would be dangerous with firearms in their possession.

There is no other weapon on the face of this earth which is used more to murder human beings than a firearm. There is no other instrument, therefore, more qualified for regulatory control.

Certainly society has been sensible enough to regulate the use of other potentially dangerous items. We have established standards for persons who wish to drive automobiles. We attempt to limit the use of potentially harmful drugs to those persons under supervised medical care. We would not entrust the fate of airplane passengers to an unfit pilot. We would not let someone apply the science of medicine unless he had met rigid educational requirements. The list is virtually endless where regulatory control has been applied in the interest of public health, safety and welfare. The purpose in every case is to prevent harm to members of society.

II. REGULATORY NATURE OF THE NEW JERSEY LAW

By the same token, the state of New Jersey enacted in June of 1966 a weapons control law—regulatory in nature—which has as its primary thrust the prevention of firearm crimes. Our primary target is those persons whose background classifies them as unfit to buy guns. These include criminals, mental defectives, drug addicts, habitual drunkards, persons physically incapable of handling firearms safely, persons under the age of 18, and persons to whom the issuance would not be in the public health, safety, or welfare.

In order to assure that qualified persons would not be denied firearms privileges, the law prescribes a clear and effective screening process. The individual makes application with his local police chief or the superintendent of state police, as the case may be, and provides his fingerprints which are the critical facility for determining his background. It is recognized by everyone knowledgeable in law enforcement that fingerprints are the only effective means to determine a person's criminal background. A mere name check is virtually worthless.

Once the applicant is deemed qualified, he is issued a permit if he wishes to buy a handgun or a firearms purchaser identification card if he wishes to buy rifles and shotguns. The I.D. card entitles the holder to buy as many rifles and shotguns as he pleases, unless he subsequently becomes disqualified under the law.

I emphasize again that the primary purpose of this procedure is to prevent potentially dangerous persons from buying firearms and, thereby, to prevent them from using said weapons to commit crimes. This, of course, will not prevent all crimes committed with guns. Because of compromise necessary to effect the passage of our law, it only applies to firearms sold after it took effect on August 2, 1966. It also does not prevent the purchase of guns in other states by New Jerseyans unfit to do so in our state. The former category could be covered by the

complete registration of all guns, as F.B.I. director, J. Edgar Hoover, has urged (F.B.I. law enforcement bulletin, September, 1967). The latter could be covered by a Federal law prohibiting the interstate and mail order traffic in guns to individuals.

III. REGULATORY EFFECT OF THE NEW JERSEY LAW

How has our own law worked? As of March 30, 1968, a total of 84,200 I.D. cards and pistol permit applications had been approved by local and state police. On the other hand, over 7% had arrest records and a total of 1,606 applications have been denied. Approximately 75% of the denials were for criminal arrest records, including such offenses as first degree murder, rape, burglary, breaking and entering, lewdness, and sex crimes of various other types. The 1,606 persons cannot purchase firearms legally in our state. I trust the opponents of gun controls would not defend the "right to bear arms" of the 1,606 so denied.

With respect to the impact on crime, preliminary statistics from our uniform crime reporting system indicate that firearms were used in 44% of all murders committed in New Jersey in 1967, as compared to 60% nationwide in 1966. Rifles and shotguns were used in 9% of all murders, as compared to nearly twice the rate of 16% nationwide. Furthermore, firearms were used in nearly 19% of all atrocious assaults nationwide as compared to 12% in the state of New Jersey.

Another one of the time-worn arguments of the gun lobby is that firearms laws affect only the law-abiding citizen. Translation of this "affection" has run the gamut from "disarming the citizenry" to imposing an "unbearable inconvenience." Here, again, is a failure to comprehend the essence of regulatory control. They suggest that gun regulations affect only persons interested in guns. They suggest that law-abiding gun fanciers are lumped together with criminals while the rest of society remains untouched.

The fact is, however, that once society agrees to regulate certain things, every member of that society accepts that he may some day be subject to that regulation. Driver licensing, for example, is not directed solely at persons who drive. It is directed at every person over a certain age who may wish to drive. This could include every single person of qualified age, not just a segment of the population interested in cars.

Nevertheless, what is this "effect" on law-abiding citizens of which the gun lobby speaks? It does not appear that the New Jersey weapons control law has had any effect on the sportsman's pursuit of his favorite pastime.

In 1966, the State Division of Fish and Game sold more hunting licenses than it did in 1965. In 1967 the total was even higher when more than 156,000 licenses were sold, as compared to the average sale in recent years of 150,000. Furthermore, the bag of deer in 1967 was 9,943 or 66 more than in 1966. This total is the third highest on record, replacing 1966 in that ranking and exceeded only in 1959 and 1961 when more liberal regulations prevailed.

All of this indicates I think quite clearly that the purpose of our law is being fulfilled: it is preventing the sale of guns to unfit persons and, aside from the slight inconvenience involved, it is not affecting legitimate gun fanciers.

IV. MANDATORY PENALTIES

I have noted that opponents of gun controls are preoccupied with "regulating" only persons who have already used firearms to commit crimes. The solution which is most often heard is that severe mandatory penalties of 25 years or more in prison should be imposed for crimes committed with guns. The suggestion, of course, is that the threat of severe mandatory penalties will deter such crimes. This argument overlooks at least two important considerations.

On the one hand, we now save severe penalties for crimes such as murder, but these crimes are committed every day with little or no thought of possible penalties. The F.B.I. points out that 80% of all murders are of the passion variety involving relatives or acquaintances. Here the easy accessibility of firearms and their lethal nature makes murder easy. The reality of this conclusion becomes apparent by virtue of the fact that 60% of all murders committed in this country in 1966 were committed with firearms—16% with rifles and shotguns. This means 4,800 persons were killed with guns in 1966, regardless of the severe penalties involved.

On the other hand, the argument for severe mandatory penalties ignores the cost of incarceration which would be involved. Some time ago I estimated that in the State of New Jersey, for the 7-year period 1958-1965 alone, it would have cost the public approximately \$6,000,000 to keep all persons convicted of firearms crimes behind bars.

In addition to the fact that severe penalties do not deter certain crimes and the question of prohibitive incarceration costs, it should also be recognized that juries might be less likely to convict when it is known that a mandatory penalty of 25 years is involved.

V. ATTEMPT TO REPEAL NEW JERSEY LAW

Notwithstanding the desirable regulatory nature and effect of the New Jersey weapons control law, perhaps you might have heard an attempt is being made to repeal and replace it with a law which excludes the regulation of rifles and shotguns. I do not believe, in the first place, that this repeal attempt will be successful. If it should pass in the legislature, I know it will be vetoed by the Governor.

Time does not permit me to discuss all of the shortcomings of the repeal bill, of which there are many. Suffice it to point out it would give carte blanche to a gun dealer to sell rifles and shotguns to unfit persons if the purchaser provides a certificate indicating he is not a criminal, drug addict, mental defective and the like. Since this certificate would not be given to the police, there is no way to determine if the purchaser had lied.

The repeal bill would also require the superintendent of State police to prepare a monthly list of all persons convicted of crime in the United States and disseminate that list to more than 500 police chiefs and sheriffs who would make it available to "bona fide" sellers of firearms. Certainly preparing and disseminating a list of 18,000,000 persons would be a monumental, costly, and, indeed, incomprehensible effort. In any event, a mere name check would be virtually worthless.

What all this really means is that the gun lobby wants no real check at all.

Their repeal bill indicates the ludicrous extremes to which they will go to exempt rifles and shotguns from regulatory control. It is an empty gesture which suggests to the public it would be getting protection when, in fact, it would be getting nothing at all—except, of course, a higher tax bill to finance a meaningless scheme.

This, mind you, is what the gun lobby has termed "more comprehensible" for the sportsman and "easier for the police!"

VI. FEDERAL GUN CONTROLS

The same pattern of deception and subterfuge has likewise been evidenced in the gun lobby's continuous success in blocking the passage of Federal firearms controls.

I indicated to you earlier that the State of New Jersey cannot control the interstate and mail-order purchases of firearms by its residents. While it may be illegal for a New Jersey resident to purchase firearms through the mails without first obtaining an I.D. card or purchase permit, I am sure you rec-

ognize it is virtually impossible to detect such illegal purchases. We have also found that many New Jersey residents, who prefer to avoid the requirements of our law, have made in-person purchases from gun dealers in neighboring States. With respect to this category, however, we have been informed by the State police, who surveyed dealers reporting earlier losses, that sales of firearms are now higher than before the law took effect.

This is further indication that our law is not affecting qualified firearms enthusiasts. Sooner or later every sportsman will have obtained an I.D. card and, thus, will have no reason to go out-of-state to purchase firearms. Only unqualified people will have reason to do so, and I am sure there are no attorneys general here today who would want their gun dealers to sell to unfit New Jersey residents.

Certainly the devastation wreaked upon the city of Newark last summer is conclusive testimony to the ineffectiveness of our law in preventing the importation of firearms into New Jersey by persons with criminal intent. Law enforcement authorities are convinced that many of the weapons used by snipers and rioters could not have been purchased legally in New Jersey.

In view of this and more recent events, Congress has still failed to enact sensible interstate and mail-order firearms controls. Presently, there is a provision, as part of the "Safe Streets Act," which has been reported out of the Senate Judiciary Committee and is being debated on the Senate floor, which would ban the mail-order sale of handguns, but not rifles and shotguns. Even this version would not have been released from the Judiciary Committee had it not been for the assassination of Dr. King, notwithstanding he was murdered with a rifle.

Two other gun control versions were offered by the administration, but were defeated in the Judiciary Committee. The one which is most desirable and which the administration supports would ban the mail-order sale of all firearms. A rifle or shotgun, however, could be purchased in-person by an out-of-state resident if he meets qualifications in his own state. Thus, a New Jerseyman with an I.D. card could purchase a rifle or shotgun in Pennsylvania, but someone without an I.D. card could not. This provision would complement our law perfectly.

If a New Jerseyman with an I.D. card wished to buy a rifle he sees in a catalogue and which is sold in California, all he need do is have his local gun dealer order it for him. This again would complement our law and would certainly be of economic benefit to the gun dealers of our state.

The other version which was defeated in committee would have allowed individual states to exempt themselves from the mail-order rifle and shotgun provisions of the bill I have just discussed. The purpose was to satisfy those predominantly fish and game states which might not believe they need controls to prevent crime. This I feel would have been a reasonable compromise because at least those states which wished to protect its citizens could do so.

The Federal handgun control bill now on the Senate floor purportedly received the support of the National Rifle Association. To direct attention away from rifles and shotguns, the association has, in the past, said it would settle for the control of handguns. This again appears to have been a typical diversionary tactic. It is now reported that Senator Roman Hruska, sponsor of the bill, will attempt to modify it on the Senate floor to "regulate" rather than prohibit the mail-order sale of handguns.

On the other hand, an effort will also be made by sponsors of the original bill to amend the handgun bill to include a prohibition on the mail-order sale of rifles and shotguns. This could very well be the last

chance for Congress to pass a sensible gun control law. If Senator Hruska and the N.R.A. are successful, however, the cause of effective Federal controls over the wanton and indiscriminate mail-order and interstate traffic in guns will be set back for many years to come, if not indefinitely.

I have cited the different philosophies espoused by proponents and opponents of gun control legislation. While almost every major newspaper in our State has editorially supported State and Federal controls, one editorial expressing the opinion of the minority is worthy of note. It stated, in part:

"The question goes deeper than merely a law to limit the sale of guns, but rests on the question of 'Who is to determine the suitability, or unsuitability, of another man?' To say that this man or that is not suitable to own a gun, is also to say that he is not to be permitted to possess the means to protect himself, his family, or his home. This is a basic right, and I can think of no one person or collective group which has the right to abridge it in any way."

This editorial appeared in the July, 1966 edition of *The Dome*. On the editorial page appears the following:

"The Dome is published monthly at the New Jersey State Prison at Rahway. By and for the inmates. Views expressed herein are not those of the administration unless otherwise stated."

On the other hand, we can heed the advice of an eminently qualified authority, Director J. Edgar Hoover, who said in the September 1967 issue of the FBI law enforcement bulletin:

"I think mail-order firearms purchases should be banned, interstate transportation of firearms controlled, and local registration of weapons required and enforced."

VII. RESOLUTION OF THE EASTERN REGIONAL CONFERENCE

I remind this conference that in September 1966 it passed a resolution, unanimously, to "urge that all States adopt legislation which would accomplish the dual purpose of

(a) permitting the sale of firearms for sporting, collecting and other legitimate purposes, and

(b) preventing the sale of firearms to persons convicted of crimes of violence, minors who do not have parental consent, drug addicts, persons who have been committed to mental institutions, habitual drunkards, or other persons to whom the sale of firearms would not be in the public interest."

I suggest once again that we resolve to urge such action.

Of more immediate concern, however, is the fate of the firearms control bill pending in Congress. In conclusion, therefore, I suggest that the eastern regional conference of attorneys general take this opportunity to adopt a resolution urging Congress to enact legislation banning the mail-order sale of all firearms. New Jersey has demonstrated that its law is consistent with the dual purpose of our resolution of 1966. A ban on the mail-order sale of all firearms would also be consistent with these dual purposes.

I trust this conference will resolve accordingly.

STUDENT DEMONSTRATIONS—COLUMBIA UNIVERSITY AND UNIVERSITY OF DENVER

Mr. DOMINICK. Mr. President, I invite the attention of the Senate to an editorial entitled "A Better Example," published in this morning's Wall Street Journal. The editorial contrasts the handling of the student demonstrations at Columbia University and the University of Denver.

The handling of a potentially explosive situation at Denver University is to be

commended. Chancellor Maurice B. Mitchell did not wring his hands; he acted decisively, and, in my judgment, the results achieved offer clear evidence of the wisdom of his decision.

I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A BETTER EXAMPLE

Columbia University provided one example of how to handle student demonstrators: Vacillate for a week. Finally call in the police to evict demonstrators from the buildings they hold for ransom. Resume vacillating. Call off classes for the rest of the academic year and suggest instead that students meet with professors for meditation and such.

Fortunately, a better example comes to hand from the University of Denver. Some 40 students seized the registrar's office there to support the inalienable right to change student election rules without bothering with the formalities for doing so spelled out in the student constitution.

The University dismissed the demonstrators on the spot, had them arrested for loitering and obstruction when they refused to leave, and forthrightly explained its actions afterward. Or anyway, its public relations office is sending around the remarks of Chancellor Maurice B. Mitchell. Some of them bear repeating.

"In the simplest language in which I can put it, the time has come for society to take back control of its functions and its destiny. If we condone the abandonment of the rule of law in the university, we have no right to expect those who attend it and later move into outside society to conduct themselves in any other manner."

"There is the assumption on the part of some disaffected students at the university that it is immoral for them to tolerate conditions not of their liking, and that they have some sort of moral obligation to engage in acts of defiance and violence. There is no way to prevent this, but there is every reason to hold those who engage in such practices fully responsible for the consequences of their acts."

"To those who insist that improper activities are the only answer to their problems, I have replied that the decision to engage in such activities carries with it the full responsibility to accept punishment; and punishment on this campus under these circumstances and for such acts is going to be instant and sufficient to the cause."

Denver is one university, we venture to predict, not likely to be reduced to ending classes and substituting the educational insights of a semester of handwringing.

THE DESPERATE NEED FOR RAT CONTROL

Mr. KENNEDY of Massachusetts. Mr. President, last fall, after much debate and much dispute, Congress passed a long-overdue rat control bill, authorizing \$40 million to help localities in their efforts to meet the problem. It appeared that we were waking up to one of the most serious and shocking aspects of living in a typical building in an urban slum or poverty area. Yet to date Congress has delayed appropriations for the program passed last fall.

I wish to reemphasize the need to fund and to pursue effective programs to meet the rat problem. For the more fortunate, it is almost impossible to imagine living in an apartment where ugly, vicious, desperate rats—often half

a foot long—enter at night and attack whatever they can find. Tens of thousands of persons are bitten yearly by rats, most of these infant children who are helpless to protect themselves.

When I mention the "rat problem," I am talking about persons contracting disease carried by rats. I am talking about infant children literally being eaten alive.

The Washington Post, on May 11, 1968, published an article which sickens me and depresses me and makes me wonder how we can hesitate or delay in committing full resources to attacking rats in our ghettos and poverty areas. The article contains the news about a 3-week-old Negro girl who was killed and partially eaten by rats. Parts of her hand and left arm had been devoured.

It is gruesome to have to read about this, but we must face up to the realities of a gruesome situation. This is a matter of life and death for a great number of infants in poverty-stricken families.

The situation is outrageous and the problem is urgent. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, May 11, 1968]
RATS KILL 3-WEEK-OLD NORTH CAROLINA GIRL

RALEIGH, N.C., May 10.—A three-week-old Negro girl was killed and partially eaten by rats in a poverty-ridden home in southern Wake County near here early this morning.

The infant, Tammy Chanel Douglas, was the daughter of Mr. and Mrs. Constantine Douglas.

Wake County Coroner Marshall W. Bennett said an autopsy showed the child had been killed by rats and that part of her head and left arm had been devoured.

The child had been asleep in a wooden box used as a bed that had been placed on a chair at the foot of the parents' bed.

Bennett said the property was "swarming with wharf rats," judging from the number of holes gnawed in the house and the rat trails leading under the house.

Mr. KENNEDY of Massachusetts. Mr. President, I also invite the attention of Senators to an article, written by Thomas R. Brooks and published in the May 16 issue of the Reporter. The article quite briefly summarizes information about rats and their habits, the extent of the rat problem, and the need for Congress to follow through on its commitment to meeting this problem.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

RATS, PEOPLE, AND POLITICS

(Thomas R. Brooks)

When Congress authorized \$40 million for rat extermination last September, a Wall Street securities analyst created a brief flurry in "rat stocks" by listing the leading manufacturers of pesticides. The Purdue University News Bureau announced "revisions" in the school's eight-year-old correspondence course in pest-control technology, giving greater emphasis to the problems of rat control and making the course available to public-health people throughout the nation. At the Waldorf-Astoria in New York, O. Wayne

Rollins, chairman and president of Rollins, Inc., an Atlanta-based firm that embraces Orkin Exterminating Company, Inc. ("by far the world's largest pest control company"), called upon the nine Federal agencies concerned with rat control "to coordinate their efforts . . . [and] supply the motivation and effective leadership to the local authorities and the private sector of the economy to insure maximum efficiency in rat control." And Rollins added, "We are prepared to offer the advice, training, technology and personnel to carry out these goals whenever we are called upon to do so." At this moment, Rollins's offer seems premature. Despite the authorization, Congress has yet to come up with the cash.

In his 1967 message to Congress on urban and rural poverty, President Johnson requested \$20 million a year to initiate a major eradication program. He said it was a "national disgrace" that many children in America were "attacked, maimed, and even killed by rats." Under the original legislation, the Department of Housing and Urban Development was to provide grants to assist participating localities in developing and carrying out rat-control programs, including systematic extermination, improvement of refuse and garbage collection, etc. But Congress, in a sardonic and punitive mood following last summer's Newark riots, rejected the rat-control bill, 207 to 176. By September, the House had second thoughts and reversed itself, 227 to 173, tacking onto the Partnership for Health bill an increased authorization for Section 314(e) Health, Education, and Welfare project grants of \$20 million in fiscal 1968 and another \$20 million in fiscal 1969. So-called "e" money is not earmarked for continuing public-health programs and hence is available for new ones.

Although the authorization measure does not even mention rats, Congress's intent to do something about them was made abundantly clear in the House discussion and in a Senate report. Nonetheless, as a HEW spokesman quickly pointed out when I asked what was currently afoot in the war against rats, "Congress didn't give us any money." Most of the \$62.5 million appropriated previously by Congress for "e" project grants for fiscal 1968 is already committed, leaving about \$5 million "for new projects, including rats." Whether or not Congress will come up with the \$20-million supplementary appropriation this session depends on the loudness of demands from local and state governments and community organizations for "rat money" in an election year.

Oddly enough in this research-and-development age, we don't know as much about rats as one might expect. What we do know about rat behavior rests almost entirely upon studies of laboratory rats (an albino strain bred out of the brown rat) or of caged wild rats. Ecologists and other students of animal behavior nowadays strongly caution against projecting inferences about animal behavior based on caged animals onto their free brethren. Yet we do just this, almost without reservation, with rats.

Rats admittedly are hard to find; they live and apparently thrive in such unpleasant places as garbage dumps and sewers. And hard to take; they are carriers of the plague, salmonella (a food-poisoning bacterium), rabies, endemic typhus, and some thirty-one other diseases. "The Common or Brown rat," the English zoologists G. E. H. Barrett-Hamilton and M. A. G. Hinton declared a half century ago, "is probably the most injurious and universal pest of the human race. . . . It does not appear to have a single redeeming feature." Nor, one might add, a single human friend, though S. A. Barnett in *Scientific American* recently ventured the opinion that rats, chiefly because of their ability to survive, "are worth study for their own sake and not only as pests."

Scientific study might lead to a more ac-

curate account of rat behavior and ultimately allow for a wiser and more efficient expenditure of energies and money in getting rid of rats. We do not even know how many rats there are in the United States or the real extent of the damage they do. However, the U.S. rat population is frequently estimated at some ninety million, and according to a leaflet issued by the Public Health Service, rats and mice together ruin at least \$400 million worth of food each year.

THE NATURE OF THE BEAST

Rattus norvegicus, the Norway or brown rat, is the dominant species, especially in the urban slums. The male reaches a weight of one pound and a body length of nine inches. A burrower, the Norway rat varies in color; some are black and some brown, a matter of some confusion when it comes to quick identification. *Rattus rattus*, the black or roof rat, commonly believed to have been responsible for the Black Plague of the Middle Ages, thrives in warmer climes. In the north, it is found in port cities as a rat minority living in attics, while the brown rat congregates in cellars and sewers or burrows in garbage-strewn lots and city dumps. The more delicate black rat rarely weighs more than eleven ounces or exceeds seven inches in body length. Though black in the city, *Rattus rattus* is often tawny-coated in the countryside.

Both species are prolific breeders. Sexually mature after four months, with a gestation period of three weeks, the female can easily rear four six-pup litters a year. There is a fair amount of evidence that rats rarely live beyond two years although their life span is three to five years. Crowding may interfere with breeding and rats become much more aggressive when hungry. Demolition and urban renewal, too, set them in motion, accounting for the rats seen in new office buildings located in areas undergoing redevelopment. Rats are prodigious gnawers. Their four incisors grow roughly four inches a year, so they must gnaw or die. They chew on almost anything—through half-inch sheets of aluminum, lead pipes (to seek running water), and into soft concrete. They are suspected of starting one out of every four fires of unknown origin.

According to reports, some fourteen thousand people a year in the United States are bitten by rats. Most—perhaps as high as ninety per cent—are infants. Dr. Alan Donaldson, associate director of the Public Health Service's Bureau of Disease Prevention and Environmental Control, believes that rat bites are underreported. "We don't have a nationwide system for reporting rat bites," he told me. He estimates more than twenty thousand bites a year but less than fifty thousand.

Though rats make headlines in our big-city newspapers from time to time, we have made considerable progress in rat control. L. A. Penn, director of the environmental technical services division of Milwaukee's health department, reports that no rat-borne diseases have been noted in Milwaukee in the last twenty years. Detroit reduced the incidence of rat-transmitted disease from more than a dozen cases of hemorrhagic jaundice in the 1940's to an average of less than one a year in the early 1960's and none last year. Reported rat bites there have fallen from 123 in 1951 to eight during the first half of 1967. The city uses fifty thousand pounds of anti-coagulant poisons and treats more than thirty thousand rat burrows yearly.

Rat-bite fever, according to Donaldson, is very rare in this country, as are cases of other rat-spread diseases. Nevertheless, he told me that he was "not comfortable" with the rat situation. "Wherever you have rats and fleas," he said, "there is a possibility of the introduction of the plague organism into the rat population and its spread to man. It is highly desirable to reduce the rat popula-

tion in urban areas. Nobody should have to live with them."

We are, I gather from talking to a number of experts, doing just about as much as can be done when it comes to poisoning rats. Indeed, this worries some people, for there are reports that rats are developing immunity to some of the more widely used poisons, such as Warfarin, the anticoagulant. As for sterilizers, these remain laboratory experiments at present, though New York State plans field tests of rat birth-control pills in 1969.

Much remains to be done, however, in cleaning up garbage-littered streets, back yards, and building lots in our cities. The closed garbage can remains a major weapon in the war against rats. This often is an educational matter backed up by hounding landlords into providing enough cans for their tenants.

Last summer, the Labor Department granted \$300,000 to Pride, Inc., a Washington D.C., anti-poverty agency, to hire nine hundred youths at \$56 a week for a slum clean-up campaign and a rat-control program. In New York, where Governor Nelson Rockefeller provided anti-rat funds when Congress backed away last summer, the \$750,000 allocated to New York City is being spent to train and employ some 150 "sanitation aides" to clean up rat-infested lots and back yards.

This is what we can expect as local and state governments tap Federal rat funds. There is now considerable evidence of interest in the program. In the regional offices as of April 1, there were twenty-nine applications amounting to \$17.5 million from city, county, and state health departments and from private non-profit organizations. Nevertheless, Congress, in its present economy mood, might be tempted to pass over rat control when it makes supplementary appropriations this session. But it isn't apt to treat the matter as lightly as it did last summer because the rat, as a symbol of slum conditions, now is more than a menace to health. It is a political reality that must be dealt with.

TOWARD FREEDOM FROM FEAR

Mr. MUNDT. Mr. President, last week, former Vice President Richard Nixon issued a position paper on crime. The paper, entitled "Toward Freedom From Fear," is one of the best statements I have ever read on what is undoubtedly the most serious domestic problem facing our Nation today.

Mr. Nixon talks about the causes of crime and the steps which must be taken to shift back to what he refers to as the "peace forces in our society," the means to redress the imbalance between the protection of society and the protection of criminals as created by recent court decisions. Much of what the former Vice President discusses in his position paper is before us in the form of S. 917, the Omnibus Crime Control and Safe Streets Act of 1967. So that the Senate might have the benefit of this excellent discussion of the crime issue, I ask unanimous consent that the position paper be printed in the RECORD.

There being no objection, the position paper was ordered to be printed in the RECORD, as follows:

RICHARD M. NIXON: TOWARD FREEDOM FROM FEAR

In the last seven years while the population of this country was rising some ten percent, crime in the United States rose a staggering 88 percent. If the present rate of new crime continues, the number of rapes and robberies and assaults and thefts in the

United States today will double—by the end of 1972.

That is a prospect America cannot accept. If we allow it to happen, then the city jungle will cease to be a metaphor. It will become a barbaric reality, and the brutal society that now flourishes in the core cities of America will annex the affluent suburbs. This nation will then be what it is fast becoming—an armed camp of two hundred million Americans living in fear.

But, to stop the rising crime rate and to reduce the incidence of crime in America, we must first speak with a new candor about its causes and cures.

POVERTY NOT THE CAUSE

We cannot explain away crime in this country by charging it off to poverty—and we would not rid ourselves of the crime problem even if we succeeded overnight in lifting everyone above the poverty level. The role of poverty as a cause of the crime upsurge in America has been grossly exaggerated—and the incumbent Administration bears major responsibility for perpetuation of the myth.

On October 16, 1964, the President said that, "The war on poverty which I started—is a war against crime and a war against disorder." If the President genuinely accepted that proposition, the near 50 per cent increase in crime rate since 1964 would be adequate proof of the utter failure of the government's war on poverty.

But the war on poverty is not a war on crime; and it is no substitute for a war on crime. It is certainly true that rising prosperity will gradually reduce the number of those below the poverty level, and eliminate many of the conditions in which crime is likely to flourish.

But poverty cannot begin to explain the explosion of crime in America. In recent years, this nation has grown wealthier and its riches have been more widely distributed than in any other country in the world. And yet crime has been going up about three times as rapidly as the GNP.

And poverty tells us nothing about the enormous increases in juvenile crime and drug abuse by teenagers in the affluent suburbs of America.

TOO OFTEN CRIME DOES PAY

The success of criminals in this country plays a far greater role in the rising crime rate than any consideration of poverty. Today, an estimated one-in-eight crimes results in conviction and punishment.

If the conviction rate were doubled in this country, it would do more to eliminate crime in the future, than a quadrupling of the funds for any governmental war on poverty.

In short, crime creates crime—because crime rewards the criminal. And we will reduce crime as we reduce the profits of criminals.

There is another attitude that must be discarded if we are to wage an effective national war against this enemy within. That attitude is the socially suicidal tendency—on the part of many public men—to excuse crime and sympathize with criminals because of past grievances the criminal may have against society. By now Americans, I believe, have learned the hard way that a society that is lenient and permissive for criminals is a society that is neither safe nor secure for innocent men and women.

JUSTICE FOR THE GUILTY, TOO

One of the operative principles of a free society is that men are accountable for what they do. No criminal can justify his crimes on the basis of some real or imagined grievance against his society. And our sympathy for the plight or the past of a criminal cannot justify turning him loose to prey again upon innocent people.

In the preamble of the Constitution of the United States, this country set it as a goal to "establish justice" in these states. Just as

justice dictates that innocent men go free, it also means that guilty men pay the penalty for their crimes. It is that second part of justice to which the nation must begin to address itself in earnest.

In the course of presenting these proposals for dealing with the crime problem in America, I have not dealt at all with the urban disorders that have become commonplace in our great cities. Riots are a special problem, a problem apart from the crisis of daily crime in America.

In terms of dollars and cents the toll of the riots is next to nothing compared to the toll of street crime or even the take of organized crime.

But, riots offer their own challenge to the future existence of our society, and that challenge is different than the menace represented in the 88 per cent increase in crime in seven years. Consequently, I have dealt with the riots as a separate problem in other statements.

NO SENSE OF URGENCY

The primary responsibility for dealing with that 88 per cent figure continues to rest—as it should—with the local and state government. We want no centralized Federal police force in this country. But crime has become a first priority domestic crisis, a distinct threat to the social order, and it should be a matter of the highest Federal urgency. That urgency has not been reflected in this Administration's actions or recommendations.

Crime today is increasing almost nine times as rapidly as the population.

The Administration in Washington seems to have neither an understanding of the crisis which confronts us nor a recognition of its severity. As a result, neither the leadership nor the necessary tools have been provided to date to enable society's peace forces to regain the upper hand over the criminal forces in this country.

The statistics and evidence are there for all to see.

The last five years have been the halcyon days of organized crime. Gross earnings from illicit gambling, prostitution, narcotics and loan-sharking, have grown prodigiously. One reliable authority places the figure in the neighborhood of \$50 billion annually.

As for street crime, for every two major crimes committed in the United States when President Johnson took office in 1963—there are three committed today—and if the present trend continues, there will be six committed by the end of 1972.

These are the dimensions and elements, the hard facts and the stark realities of the crime crisis to which this Administration's response has been lame and ineffectual.

ORGANIZED CRIME

Organized crime is the tapeworm of the American society. In recent years it has prospered as never before and broadened its influence in government and legitimate business and unions. The absence of an adequate response at the national level—to this national threat—is a glaring failure of the present Administration.

One of the most effective groups of men within government combating this kind of criminal activity over the years has been the Organized Crime Section of the Department of Justice. Yet, when President Johnson took office, the number of man days spent in field investigating by members of the OCS, the number of man days spent testifying before grand juries, and the number of man days spent in court all suddenly decreased between 50 and 75 per cent.

This wholesale de-escalation of the Justice Department's war against organized crime has not to this day been adequately explained.

Equally puzzling is the Administration's adamant opposition to the use—against

organized crime—the same wiretap and electronic surveillance the government employs to safeguard the national security. Not only does the Administration oppose the use of these weapons against crime, it has asked Congress to forbid that use by law. Such legislation would be a tragic mistake.

"GIVE US THE TOOLS . . ."

Organized crime is a secret society. By denying to State and Federal law enforcement agencies the tools to penetrate that secrecy, the President and the Attorney General are unwittingly guaranteeing the leaders of organized crime a privileged sanctuary from which to proceed with the systematic corruption of American life.

New York County District Attorney Frank Hogan, who has probably convicted more racketeers than any other man in America, has said that wiretapping is: "the single most valuable weapon in law enforcement's fight against organized crime . . . Without it, my own office could not have convicted Charles 'Lucky' Luciano, Jimmy Hines, Louis 'Lepke' Buchalter, Jacob 'Gurrah' Shapiro, Joseph 'Socks' Lanza, George Scallise, Frank Erickson, John 'Dio' Dioguardi, and Frank Carbo."

An overwhelming majority of the President's own blue ribbon crime commission recommended enabling legislation for the use of wiretap. The Judicial Conference, consisting of ranking Federal Judges from across the nation, and headed by Chief Justice Earl Warren, has approved such legislation. And the Supreme Court has left the door open to a carefully drawn wiretap measure with proper safeguards.

SAFEGUARDS AGAINST ABUSE

The Senate is currently considering such a proposal—drawn to conform meticulously to the Supreme Court decisions. That proposal would authorize the use of electronic surveillance on a court order, in the nature of a search warrant, showing probable cause. The court order would be limited to major crime cases, and specified cases involving the national security.

It would be limited as to time, persons and place. Any extraneous evidence gathered by the eavesdrop device would be inadmissible in court and would have to be held in confidence under pain of both civil and criminal penalties. Special precautions would be taken to safeguard those communications regarded by the law as privileged, such as those between husband and wife, doctor and patient, lawyer and client, and priest and penitent. In addition, the bill would outlaw all electronic surveillance by private citizens.

Yet, despite these carefully drawn precautions, the President defends his opposition to wiretapping in major crime cases with the astonishing assertion that "the principle that a man's home is his castle is under new attack."

"Nonsense in its purest form" was the retort by the *Washington Star* which continued:

"This is a comment which shakes our faith in (1) whether the President knows what he is talking about in his anti-crime speeches, or (2) whether he will ever support the measures—wiretaps and the like—that are essential investigative tools if we are ever going to wipe out crime—especially organized crime."

FIVE IMMEDIATE STEPS

There are other steps which Congress can take independently to strengthen the peace forces in our society against the forces of organized crime. Some of these recommendations have been endorsed by the President's Commission on Crime.

(1) *Infiltration of honest business*: Congress should enact legislation making it a Federal crime to invest in legitimate business either money which has been gathered from

illegal racket activities or money that has not been reported for income tax purposes. Such measures would focus the tax enforcement machinery on the problem of organized crime.

(2) *Antismuggling*: Congress should authorize substantial increase in the number of Customs Bureau officials. In the last decade while the number of customs officials has risen 4 per cent, the number of people entering the country has risen 50 per cent and the number of aircraft 100 per cent. These would be an effective deterrent to the import of narcotics, a multi-million dollar annual item in the income statement of organized crime.

(3) *Permanent watchdog*: Congress should establish a permanent Joint Congressional Committee on Organized Crime.

(4) *More lawmen*: Congress should authorize whatever Federal personnel are necessary to carry out the new responsibilities under these pieces of recommended legislation.

(5) *Immunity power*: Congress should enact the Republican-proposed organized crime immunity statute. Once granted immunity from prosecution based on his testimony, a witness would be required to testify before a grand jury or at trial, or face jail for criminal contempt. This would be another and an effective legal tool with which to cut through the curtain of secrecy that envelops organized crime. Witness immunity would make it possible to get to the higher echelons of the crime syndicate.

These are a few of the steps that can and should be taken if we are to make realistic rather than rhetorical progress in uprooting the infrastructure of organized crime. Yet, both the President and his Attorney General, Mr. Clark, who have the principal responsibility for leading the war on organized crime are either indifferent to or in active opposition to a majority of these measures.

That attitude has made of the President's proposal to the Congress the kind of compromise legislation that organized crime can live with. It has called into question the seriousness of the President's designation of Mr. Clark to be his "Mr. Big" in the war against national crime.

ALERTING THE PEOPLE

There is also a need at the national level to awaken and educate the American people to the extent of the threat within that comes from organized crime. The average American—as well as the Attorney General of the United States—seems tragically unaware of the magnitude and immense impact of organized crime upon his society.

This menace which Mr. Clark astonishingly termed a "tiny part" of the crime picture in the United States was more accurately described by his predecessor, Mr. Katzenbach, as constituting "nothing less than a guerrilla war against society."

How is the average American affected?

The businessman pays higher insurance rates because of the arson committed under the instructions of organized crime; he loses millions in bad debts annually because of fraudulent bankruptcies. Union workers are cheated out of their just wages when the proxies of organized crime take over and corrupt their unions, arrange sweetheart contracts, exploit mammoth pension funds and intimidate the membership. Organized crime cheats the consumer by its corruption of the free enterprise system. With its gigantic earning power it is able to take over individual businesses, influence prices, and act as unfair competition for honest business and honest labor.

According to Congressman Richard Poff of Virginia, one of the most knowledgeable men in the Congress on the subject, organized crime controls a "reservoir of wealth unmatched by any financial institution in the country."

CRIME'S WAR ON THE POVERTY-STRICKEN

At the same time that the President has asked for a \$2 billion appropriation to fund the War on Poverty for one year, organized crime earns an estimated \$3.5 billion annually from the numbers racket—a racket that exploits, not the affluent, but the urban poor. Organized crime is taking three dollars in gambling revenues from the urban poor for every two that is put into the poverty program by the nation's taxpayers.

Last year, while the Small Business Administration made some \$50 million in loans, the take from loan-sharking amounted to many times that sum. The narcotics traffic in this country, much of it in the urban centers of poverty, netted an estimated \$350 million for organized crime last year—the precise sum spent for the Head Start Program.

Organized crime is also directly and deeply involved in street crime. One estimate is that some 50 per cent of the street crime in some of our major cities is the work of addicts attempting to support their habit—and traffic in illegal narcotics is a major enterprise of organized crime.

STREET CRIME

But organized crime, though a multi-billion-dollar enterprise and a major contributing factor to street crime, cannot alone explain the 88 per cent increase in muggings, robberies, rapes and assaults over the past seven years. Another contributing cause of this staggering increase is that street crime is a more lucrative and less risky occupation than it has ever been in the past. Only one of eight major crimes committed now results in arrest, prosecution, conviction and punishment—and a twelve per cent chance of punishment is not adequate to deter a man bent on a career in crime. Among the contributing factors to the small figure are the decisions of a majority of one of the United States Supreme Court.

The Miranda and Escobedo decisions of the high court have had the effect of seriously hamstringing the peace forces in our society and strengthening the criminal forces.

From the point of view of the peace forces, the cumulative impact on these decisions has been to very nearly rule out the "confession" as an effective and major tool in prosecution and law enforcement.

Justice White, in his dissent in the 5-4 Miranda decision, identified judicial prejudice against the use of confession as the bedrock upon which the majority decision was erected.

"The obvious underpinning of the Court's decision is a deep-seated distrust of all confession . . . the result adds up to a judicial judgment that evidence from the accused should not be used against him in any way, whether compelled or not. This is the not so subtle overtone of the opinion—that it is inherently wrong for the police to gather evidence from the accused himself."

From the point of view of the criminal forces, the cumulative impact of these decisions has been to set free patently guilty individuals on the basis of legal technicalities.

The tragic lesson of guilty men walking free from hundreds of courtrooms across this country has not been lost on the criminal community.

STRIKING THE BALANCE

The balance must be shifted back toward the peace forces in our society and a requisite step is to redress the imbalance created by these specific court decisions. I would thus urge Congress to enact proposed legislation that—dealing with both Miranda and Escobedo—would leave it to the judge and the jury to determine both the voluntariness and the validity of any confession. If judges and juries can determine guilt or innocence, they can certainly determine whether a confession is voluntary and valid. The rule of reason and justice should replace the Dicken-

sian legalisms that have been obtained as a result of recent Supreme Court decisions.

(In Title II of the omnibus crime bill now pending in the Senate, there is a proposal to correct the imbalance resulting from these decisions; that proposal deserves passage despite the vigorous opposition of the Attorney General.)

The barbed wire of legalisms that a majority of one of the Supreme Court has erected to protect a suspect from invasion of his rights has effectively shielded hundreds of criminals from punishment as provided in the prior laws.

If it should become impossible to draw such legislation to the satisfaction of the High Court, then consideration should be given to amending the Constitution. Involved here is the first civil right of every American, the right to be protected in his home, business and person from domestic violence, and it is being traduced with accelerating frequency in every community in America.

LEANING TOO FAR BACKWARD

Wade and Gilbert are two other decisions of the Supreme Court, the extension of which have added to the problems of effective law enforcement. *Wade and Gilbert*, for the first time, ruled that in a line-up confrontation between witness and accused, the absence of a lawyer for the accused could, of itself, render the identification inadmissible in court.

My own view coincides with that of the dissenting minority, who expressed incredulity at the notion that a lawyer's presence at a line-up can somehow be helpful to the quality of the witness' identification. But *Wade and Gilbert* were carried to an almost ridiculous, if logical, extreme in *U.S. versus Beasley*.

In the latter case, even an accidental, on-the-street confrontation between, in this case, victim and accused, made identification of the accused inadmissible—because of the absence of a lawyer.

(In the *Beasley* case, police observed three men beating and robbing an elderly man on the streets of Washington, D.C. When they approached, the assailants fled leaving their victim behind. Police gave chase and apprehended one man, and returned with him to the scene to aid the victim and radio for help. There was thus an inevitable confrontation between the suspect and the victim, and the former was positively identified by the latter as one of his assailants. The identification made on the spot was ruled as inadmissible evidence because the alleged assailant did not have an attorney present when he confronted the victim on the street, immediately following the crime.)

It is decisions such as this, suppressing evidence prior to trial, that underscore the merit of the proposal of Congressman Railsback of Illinois, now before Congress.

Currently, a defendant can appeal his conviction to a higher court, if the case can be made that illegal evidence has been used against him. The prosecution, however, except in limited cases, has no similar right to appeal a decision to prohibit the introduction of certain evidence at a trial.

Congressman Railsback's proposal would remedy this situation; it would give government the same right to appeal these rulings now guaranteed the accused. The President's Crime Commission has endorsed this proposal; it would make for more effective prosecution; it would reduce the number of guilty men walking out of courtrooms on technicalities; it deserves passage in this session.

These decisions by a majority of one of the Supreme Court have had a far-reaching impact in this country. They have been the subject of controversy; they were the focus of vigorous dissent on the part of the minority. And I think they point up a genuine need—a need for future Presidents to include in their appointments to the United States

Supreme Court men who are thoroughly experienced and versed in the criminal laws of the land.

STRENGTHENING THE PEACE FORCES

A second major deficiency of the "peace forces" in this country is in the number and quality of the men who man the first line of defense—the police.

Today, two-thirds of the community police forces in the country are undermanned. This year there will be 50,000 vacancies for police officers in the United States. To improve the caliber and increase the number of men who volunteer to fill those vacancies, the Federal and State as well as the municipal governments have a role to play.

The primary reason why there are not more and better police officers in our great cities today is quite simply that the rewards—economic and personal—of being a police officer have diminished sharply in the last two decades.

For many years, these men have been in effect increasingly subsidizing the communities which they serve—by accepting a wage rate that gradually fell behind other professions. From 1939 to 1966 while the real income of manufacturing employees in New York increased on the average of 100 per cent, that of a New York City patrolman increased by 20 per cent.

You cannot attract first-class men to do the difficult and complex and dangerous job of police work—if you simply give them a gun and \$100 a week—which is the median beginning salary for patrolmen in our greater cities.

The responsibility for rectifying this situation rests largely with the municipalities and the people who live in them. They must be willing to pay the salaries to attract the kind of men they want standing between their property and family and the rising crime rate.

THE BLUE "PRESENCE"

There is a considerable body of evidence to show that a dramatic rise in the number of patrolmen is followed by an equally dramatic drop in the rate of crime. The New York Subway system is a case in point—where the presence of a patrolman on every train at night brought a reduction of 60% in the epidemic of juvenile terrorism in the first three months they were there. The lesson could be applied to dozens of other cities and communities across the country.

(Along these same lines, a judicious reallocation of existing police manpower can often have the same impact on crime as a numerical increase in the force. Systems Analysis can be used to reassign patrolmen from beats and areas where they are not needed to trouble spots. This is one way modern science has been and should be put at the service of justice.)

It would be difficult to exaggerate the urgency of the need for greater police presence—or the danger to the social order if we do not get it. To those who speak and write about that startling 88 per cent increase in crime, the figure is an ominous portent to our society.

HARDEST HIT: THE POOR

But it is among the urban poor, the silent victims of most of the reported crime and almost all of the unreported crime that these statistics have already been translated into a brutal society. According to the President's own Commission on Civil Disorders, there are cities in this country where the crimes of violence run 35 times as high in the areas of poverty as they do in the areas of affluence. Last fall, a Harlem Pastor spoke out in anguish.

"Crime is at its worst; the citizens fear to venture out after dark. Church members are afraid to go out to their meetings at night. The law seems to be in the hands of the muggers and robbers. There's panic among the people."

It would be a dangerous illusion to think that we can either "establish justice" in this country or re-establish peace in the central city, until those who are not the victims of this crime crisis are as indignant as those who are.

We are trifling with social dynamite if we believe that the young people who emerge from these brutal societies in the central cities will come out as satisfied and productive citizens. It is too often the case that "those to whom evil is done do evil in return."

STATE HELP

The State can assist the local community in improving the quality of its law enforcement agencies in a variety of ways. One of the most effective would be to use incentives to accelerate the trend toward larger and more efficient police units.

Today, there are more than 420,000 people involved in police work employed by 40,000 separate agencies. Many of these 40,000 agencies are tiny and inefficient municipal departments wholly inadequate to the tasks assigned them. Consolidation of many of these departments and their merger into city-wide or metropolitan-wide forces would give the peace forces a jurisdictional range and a level of strength more commensurate with the criminal forces—which ignore state-lines, let alone the lines that divide tiny municipalities.

FEDERAL HELP

The Federal Government can play a leading role as well in furthering this objective of consolidating and reducing the number while improving the quality of law enforcement agencies in this country.

To do so, however, it will have to shift its emphasis from direct grants to local governments, to block grants to the states. The former approach puts the Federal Government squarely into what must and should remain a local function—law enforcement. Direct grants for local police departments could bring domination and control and the door could be opened to the possibility of a Federal police force—a prospect we should avoid. Secondly, the block grant approach to the states will enable them to determine the priorities in the allocation of resources; and that, too, is as it should be. Third, this approach would strengthen the statewide police forces which are, by and large, efficient and professional organizations.

It would also enable the state to strengthen its own investigative and crime laboratory facilities, its intelligence, and records centers—which could be put at the disposal of local police. By providing the assistance to the states, we would strengthen law enforcement at a level at which it could deal more effectively with a criminal community that possesses a mobility and strength undreamed of a few years ago.

The shift in emphasis from direct grants to local departments to block grants to the States was written into the Law Enforcement Assistance and Criminal Justice Act of 1967 on the Floor of the House largely through the efforts of the Republican leadership there.

In the upper house, Senator Roman Hruska of Nebraska, one of the most knowledgeable and effective sponsors of anti-crime legislation on the Hill, along with the Minority Leader Senator Dirksen, has worked to have this block grant approach written into the final version of the bill—as it should be.

SETTING AN EXAMPLE

There is another area where the Federal Government can not only play a leading role—but where it has the opportunity to make a dramatic demonstration of its concern with the problem of crime, its commitment to new solutions and the efficacy of its proposals. That is in Washington, D.C.—the nation's capital where the authority of the Federal Government is great and its prerogatives many.

Today, Washington, D.C., should be a model city as far as law enforcement is concerned—a national laboratory in which the latest in crime prevention and detection can be tested and the results reported to a waiting nation. The record, however, is otherwise.

If across America the peace forces in city after city and state after state have been gradually giving up ground to the criminal forces—in Washington, D.C., the forces of peace are in disorganized retreat. Since 1960 crime in the nation's capital has increased by 100 per cent.

Again, however, the Administration has been slow to recognize the developing threat. It was only after severe criticism and intense public pressure that the D.C. crime bill was finally signed into law by the President in 1967.

THE PRISON PROBLEM

No national program for turning back the rising tide of crime can succeed if we continue to ignore a primary headwater—the prisons of America. No institution within our society has a record which presents such a conclusive case of failure as does our prison system.

A recent FBI study of some 18,000 convicts released in 1963 revealed that fully 55 per cent had been re-arrested for new offenses by June 30 of 1966. Of those persons arrested on a new charge within 30 months, 67 per cent had been given a mandatory release by a penal institution.

In short—whether one believes that the purpose of a prison is to punish the criminal or to deter him from future crime or to rehabilitate him and guide him away from a career in crime—by either standard our prison system is a failure.

The American prison system needs to undergo a major overhaul—to be changed from a primary cause of the crime problem in this country into a partial cure. Stated simply and directly, the criminal rate in the United States would be a good deal lower if convicted felons were properly trained and equipped for reabsorption by the outside world.

Both Federal and State Governments share equally in the responsibility for changing our prisons into something other than an ever-normal pool of replacements for the criminal community.

Since, however, the Federal prison system houses only 10 per cent of the penitentiary population of about 200,000 its role will primarily be one of example, of assistance to the states, and of clearing legislative roadblocks to effective prison reform.

RECOGNIZING A MISTAKE

During the depression years of the 1930's, with millions of Americans jobless, many pieces of Federal legislation were enacted calling for discrimination against prison-made goods. It was assumed that conscripted labor inside a prison could produce goods at a far cheaper rate and thus enjoy an unfair competitive advantage over both free labor and free enterprise.

This legislation was always questionable, and one certain effect has been to deny to thousands of convicted men the type of work experience that might have given them the essential opportunity to find a job when they left prison. It is time that these existing legal barriers against providing convicts with the type of training and work that will give them a viable employment when they leave—should be removed. According to the President's own Crime Commission, prison labor is no threat to free labor today.

Secondly, of the 120,000 people employed in correction today, five of six are employed in custodial or administrative work, leaving only some 24,000 in treatment activities to handle a combined jail and prison population of 400,000 and a total of some 1.3 million who pass through our system each year. That 24,000 figure includes all the psychiatrists, teachers, psychologists and social

workers—and if we are serious about changing the results of prison life—then we have to be serious about increasing that number.

MORE PRISON REFORMS

The necessity of other major reforms is equally obvious. A study of the prison population reveals that 50 per cent of it has only a grammar school education or less. Except for New York and California, prison education is provided by inmates—a majority of whom lack college degrees and many of whom as themselves without a high school diploma.

The number of parole officers dealing with that great segment of convict population that has been returned to society is also inadequate to its job. We are thousands of men away from achieving what is considered the desirable ratio of one parole officer to every 37 parolees.

To effect these reforms, to provide the personnel in terms of teachers, parole officers, psychiatrists, social workers, to change the American prison system from a pool of replacements for the criminal community into a system of effective correction and rehabilitation will take money. It will require millions of dollars—whether those dollars are taken out at the State or Federal level.

It will take not only more dedicated people, but new ideas and new resources and new tools if we are going to rebuild these broken careers and re-equip these men and women for useful lives.

It will require further the cooperation of both State and Federal Government, for the unconstructed criminal who walks out of a Missouri or Illinois prison, becomes a threat to the community he visits, wherever he goes in the United States.

These are not all of the steps that should be taken. But here, in these proposals, I believe a beginning can be made toward removing from this nation the stigma of a lawless society.

RIGHT TO A SPEEDY TRIAL

There are other areas as well where major reform is needed. The judiciary is one of them. In community after community in this country there are great backlogs of criminal cases. Not only does this delay in prosecuting serve as an injustice to the innocent, it does a grave injustice to society by delaying too long the imposition of penalties which are major deterrents to crime.

There is a need for vastly increased resources in crime research. Today, one-half of one per cent of the law enforcement budgets of the State and Federal governments—a paltry \$20 million—is being spent on crime research.

The potential for law enforcement research is enormous.

Space age tools are available to deal with modern crime. Today, we are still working with the forensic toxicology and forensic medicine of thirty years ago. There are promising areas such as olfactronics waiting to be explored, and tools such as the "voice print" waiting to be exploited.

END OF A LAWLESS SOCIETY

As this brief statement indicates, there is no shortage of ideas or programs or tools or potential laws to deal with crime in this country. The only shortage is a shortage of leadership that will place this problem in the first priority of American business.

If the American people are willing to commit themselves to pay the necessary price to restore peace to the society, it can be done. If they are willing to commit themselves to the proposition that any man who disobeys the law pays the penalty the law exacts, then we can begin to turn this crime wave back.

We can put an end to an urban situation where the infirm, the old and the women refuse to visit their parks or enjoy the entertainment and good life a city can offer because they are afraid. We can reduce crime

by making it a more hazardous and less rewarding occupation.

In connection with the President's Crime Commission Report, a poll was taken of average Americans. It found that of those polled 43 per cent were afraid to be on the streets at night; 35 per cent would not speak to strangers, and 21 per cent used cars and taxis at night to avoid mass transit.

Those are not the statistics of a Great Society; they are the statistics of a lawless society—they are statistics we must and will change.

NEW YORK, May 8, 1968.

RULE OF LAW—ADDRESS BY FORMER SENATOR GOLDWATER

Mr. FANNIN. Mr. President, in a day when our Nation stands on the precipice of anarchy occasioned by those who counsel selective obedience to law, it is refreshing to hear a clear-cut, forthright statement calling for a return to the rule of the law in this Nation.

Former Senator Barry Goldwater addressed a Law Day luncheon in Phoenix, Ariz., on May 1, I think his remarks have a significance for all of us who believe in law and order. The Senate is presently debating legislation that vitally affects the future course of our country. Senator Goldwater occupies a singular place as a former presidential candidate who was not afraid to speak out on the issue of law and order when it was not only unpopular to do so, but widely misinterpreted. His speech is a reminder to us that we cannot allow the Nation to disregard legal precedent and procedure but we must clearly and courageously as individuals and collectively do our utmost to support the Constitution and call for obedience to the Nation's laws.

I ask unanimous consent that former Senator Barry M. Goldwater's remarks before the Phoenix Law Day celebration luncheon on May 1, 1968, be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

RULE OF LAW

During the past years I have made a number of public appearances before groups which, if not outrightly hostile, were at the least somewhat skeptical.

However, I don't think any of those speeches were any tougher than today's, a layman addressing a distinguished group of lawyers on Law Day.

I do have certain advantages, though, because, although I consider myself a law abiding citizen, I seem to have been involved with numerous lawyers and lawsuits; for example, I was on the receiving end of one of Melvin Belli's less successful lawsuits. One in which he argued that I was not eligible to be a presidential primary candidate in California because I had not been born in the United States. This is typical of the attitudes some Californians have about us Arizonans. They're not satisfied with just taking our water.

I was almost interviewed by F. Lee Bailey but his show's sudden demise cancelled that and put him back in the advocacy game.

Some of you may have run across the little noted but not long remembered case, Barry Goldwater vs. United States of America.

That case involved an interpretation of my getting the short end of the stick from

the Supreme Court of the United States—a fate, incidentally, which seems to be shared by the public generally. One interesting footnote to that particular case; it was filed and argued in the district court of the District of Columbia and considered by the Supreme Court—all in something less than two weeks—a record of expedition that is only too good when contrasted with some of the cases I'll discuss a little later.

My present—and I hope last—encounter in the courts will be in New York City next week and will deal with whether under the New York Times decision, it's proper to falsely state that a candidate for President is nuts. The defendant in this case is one Ralph Ginsburg of Eros fame and I hope that the blind goddess will shine her face on me and on all others in public life who get pretty thick skinned but not so well armored that they don't resent the printed suggestion that their candidacy is really an escape from latent homosexuality.

When I was preparing today's talk, a loyal friend of mine, always anxious to help, told me the story attributed to Professor Brown of the University of Arizona Law School. Professor Brown, as some of you may know by personal experience, indoctrinates his first year law students by telling them the story of the rancher visiting his lawyer's office in a small frontier town back in the days of the Old West. A flock of sheep was being herded down the main street past the lawyer's window and the rancher, a businessman at heart, remarked that the sheep were certainly closely shorn.

The lawyer glanced out the window, studied the sheep for a brief moment, and commented, "Yes, they certainly are—at least on this side." I realize and respect that all of you are by nature and training inclined to take a look at both sides of most issues.

While I would love to take today's luncheon as an opportunity to discuss Bobby, I feel that to cover all sides I would have to give equal time to Gene and Hubert and there just isn't enough time to do justice to all of them. Instead, I'd like to briefly discuss, from a layman's viewpoint, a subject which has been of concern to me for a number of years and is rapidly becoming a matter of great concern to most people in this country—that is, the administration of justice in the United States.

You, as lawyers, are directly connected with the administration of justice and recognize that criminal sentences are given not only to rehabilitate the guilty party, but also to punish and serve as a deterrent to others who might contemplate similar acts.

I believe it was Cesare Baccaria, the 18th century Italian criminologist, who first advanced the idea that a swift and certain punishment of some degree of severity is a more effective deterrent than a punishment of the maximum severity which is slow and uncertain. I feel that we have reached a stage in the administration of justice in the United States where punishment is not swift and certain, but is extremely uncertain and anything but swift. Chief Justice Warren in a speech in 1958 said, "Interminable and unjustifiable delays in our courts are today compromising the basic legal rights of countless thousands of Americans, and, imperceptibly, corroding the very foundations of constitutional government in the United States." Then again, more recently, in addressing the annual meeting of the American Law Institute in 1967, Justice Warren said: "Year after year I have discussed with you the subject of the ever mounting case loads and the resulting backlogs in our Federal courts. I repeated many times my firm belief that the greatest weakness in our judicial system lies in its administration.

"In a century which has been characterized by growth and modernization in science, technology and economics, the legal

fraternity is still living in the past. We have allowed the main stream of progress to pass us by . . . Our failure to act becomes alarming when a competent district judge must admit in testimony before a Senate Committee that unless something new and effective is done promptly in the area of judicial research, coordination and management, the rule of law in this Nation cannot endure."

The problem of speeding up the machinery of our courts has existed and been discussed for years. In the middle thirties, the idea of pretrial conferences was given a great deal of publicity and was supposed to solve a great many of these problems. However, in spite of more extensive use of the pretrial conference and other attempts at streamlining our courts, the problem has become worse. Multitudinous statistics can be cited, but a few of them will illustrate some of the current difficulties. In the United States Courts of Appeals from 1957 to 1967, the number of appeals filed more than doubled from 3701 to 7903. During that same period of time, the number of pending cases increased from 2043 to 5763, an increase of almost three times. Similar figures could be cited for nearly all stages of the Federal judiciary and for most state courts. Here in Arizona, we have fortunately had some progressive court administration which has kept the delays well below those of most of the rest of the country.

There are almost as many proposed solutions to this problem as there are people commenting on the problem. Among the proposed solutions are greater use of computers, (which, incidentally, seems to be the suggested solution for almost anything these days) an increase in the number of judges, more court reporters, and still greater use of the pretrial procedure. Even among those who offer solutions, there appears to be no agreement. Justice Clark stated recently that "most of the problem is with the judge himself." I believe that a great number of judges who are faced with ever increasing case loads, much greater complexity of issues, and more complicated hearings to determine such things as the admissibility of confessions or evidence would disagree with Justice Clark's viewpoint.

While the ordinary delays in settlement of legal problems, whether criminal or civil, are, and should be, of great concern to all of us, we are most shocked by the tremendously lengthy criminal case which seems to come along more frequently every day and results in the passage of eight to ten years from the inception of the case to its conclusion. One of the more noteworthy cases of this type, in addition to the Chessman case, was the case of Willie Lee Stewart who was sentenced to death in the District of Columbia in 1953 for first degree murder but, after a series of trials, finally pleaded guilty to second degree murder in 1963 and received a sentence of fifteen years to life. His case required nine unpaid lawyers in the District court, fourteen unpaid lawyers in the court of appeals and three unpaid lawyers in the Supreme Court; it required thirteen United States attorneys or assistants, five of whom worked on two stages and one of whom worked on three stages of the case; it required twenty trial level judges and over fifty judges when the court of appeals and Supreme Court are considered; and the transcript ran to approximately five thousand pages. Even aside from the thought of all those unpaid lawyers, a record such as that should shock all of us. Not only does it deprive society of swift and sure punishment as the best deterrent for future crime, but the individual who ultimately may be released has undergone an exceedingly long period of tremendous strain, if not actual imprisonment. Justice Jackson has said "it makes a prisoner's legitimate quest for Federal justice an endurance contest" with the State. It would be almost impossible for any individual, whether ultimately convicted or acquitted, to spend that

length of time in a war with society and not become embittered against that society. We are thus failing in one of our most basic aims in the criminal proceeding, that of rehabilitation.

I do not profess to know a magic solution to this critical problem or to have the expertise in the field of law to propose detailed solutions.

However, as a citizen and "politician qua politician," I want to point out that there has been a tendency in this country for the past years for the Government to expand and encroach into all areas of our society—not only political but financial and sociological as well. What has happened is that because of this constant experimentation, the legitimate and traditional functions of Government have suffered—witness the Department of Defense, foreign policy and more relevant to this meeting—the judicial branch of Government.

As one vital step in increasing public respect for law in this country, couldn't we begin with criminal appeals? Is it too bold for me to suggest that an appeal in a criminal case could be heard thirty days after the trial and decided within another thirty days? I am told that on appeals the first delay is the transcript of evidence. In the Congress, each day's Congressional Record must use as many words as you ever have in a trial. Yet the Congressional Record is published early the next morning. Essentially the House and the Senate use old-fashioned hand reporting. But the reporters work in relays. Couldn't you do the same thing? Suppose you have to hire twice as many reporters. It would be a small price. If the Record were in the appellate court the next day, it would be hard for lawyers to justify dallying thereafter.

I am pleased to learn that the Ninth Circuit Court has started an experiment in two judicial districts which goes something like this: The record in all criminal cases lasting not more than three days must be filed in the appeals court within ten days. The parties say what they have to say in briefs, all to be completed within twenty days. The case is heard ten days later and the objective is for a decision in another ten days. Less than sixty in all.

Let us pray that it works and that the little fire spreads throughout the whole judicial system.

I realize that such a system would raise hell with the last ditch defense of stalling until some or all of the witnesses die, but as a non-lawyer I'm not sure that this would be a great loss. I'm also aware and am sure that most of you would agree that much of the delay encountered today is the fault neither of the system nor the administration of justice but results from stipulations for continuances sought by many of you who are overwhelmed by work. This is a problem, however, that the courts could solve themselves once the dockets are current.

I am told that one reason for delays is shorthanded prosecutors' staffs and inadequate staffs in the Attorney Generals' offices of the States. Also, I am told that the ordinary United States attorney's office is understaffed. I am told that in view of all of our Supreme Court decisions that the prosecutors now need, or will soon need, as large post conviction staffs as pre-conviction staffs. Let's give them all of the help they need.

Someone, at this point, is no doubt saying—"but this will cost money," and what is a fiscal skinflint like Goldwater doing in suggesting a further load on an already bloated budget.

What makes me so bold about spending money for the judiciary? Well, the concept of the Federal Government and our own State government is that each is something that stands on three legs; the executive, the legislative, and the judicial. The judiciary is a legitimate Federal expense and must be met. On the Federal side the judiciary gets

less than one twentieth of one per cent of the national budget, the legislative about one tenth of one per cent, and the executive all the rest.

Let me give you some figures. This fiscal year the Federal courts will receive \$91,906,500 and the Congress \$132,738,084. (You may be interested to know that in the appropriation for the Senate and the House there is this year an item of \$37,525 for the Joint House and Senate Committee on reduction of non-essential Government expenditures. That item is either much too small or much too large.) Let me give you some other figures from our present Federal budget. The Department of Agriculture's consumer protective and marketing programs, \$89,310,000, school lunch program, \$182,825,000, space program over four and a half billion, the Weather Bureau, now called the environmental science services administration, also known as the weather guessers, \$163,050,000,

the Federal Bureau of Investigation, \$186,574,000, migratory birds, \$7,500,000, community relations service (whatever that is) \$2,000,000, your Internal Revenue agents, \$691,000,000, Department of Justice, \$72,703,000.

I do not mean to downgrade the FBI, etc., but I would certainly not be offended if our courts cost as much as the Weather Bureau and, as a pilot, I use and depend on the Bureau.

I realize that, if this speech is noted at all, it will probably be noted as the speech in which I favorably quoted Chief Justice Earl Warren and suggested an increase in governmental spending, ladies and gentlemen, I apologize for not being able to solve all the problems of administration of justice by a volley of verbosity the general practice of politicians. I can assure you, however, that unless you and I and all who are interested in this country do those things necessary to

reinstall faith in our judicial administration, the rule of law may well be only a pleasant but long forgotten phrase.

Thank you.

REPORT BY COMMITTEE OF THE JUDICIARY OF USE OF FOREIGN CURRENCIES IN 1967

Mr. HAYDEN. Mr. President, in accordance with the Mutual Security Act of 1954, as amended, I ask unanimous consent to have printed in the RECORD the report of the Committee on the Judiciary concerning foreign currencies utilized by that committee in 1967 in connection with foreign travel.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS BY THE COMMITTEE ON THE JUDICIARY, U.S. SENATE, BETWEEN JAN. 1 AND DEC. 31, 1967

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Abrams, George S.:											
Germany	Deutsche mark					5,302.80	1,334.71			5,302.80	1,334.71
Israel	Pound	702	234.00	441	147.00	228	76.00	279	93.00	1,650	550.00
Netherlands	Guilder					1,963.15	544.04			1,963.15	544.04
Switzerland	Franc	750	177.00	515	137.00	370	93.23	409.20	66.35	2,044.20	473.58
United Kingdom	Pound					12.14	35.50	35.16.6	100.00	47.30.6	135.50
Total			411.00		284.00		2,083.48		259.35		3,037.83
Bayh, Birch:											
Germany	Deutsche mark					3,425.60	856.19			3,425.60	856.19
Israel	Pound	562.50	175.00	125	50.00			62.50	25.00	750	250.00
Poland	Zloty	4,875	75.00	4,875	75.00			3,250	50.00	13,000	200.00
Total			250.00		125.00		856.19		75.00		1,306.19
Brennan, Thomas C.:											
Germany	Deutsche mark					3,560.00	896.05			3,560.00	896.05
Sweden	Krona	1,297.80	259.65	202.20	40.35	15.95	3.09			1,515.95	303.09
Total			259.65		40.35		899.14				1,199.14
Burdick, Quentin, N.:											
Germany	Deutsche mark					2,825.2	711.10			2,825.2	711.10
Sweden	Krona	457.95	93.00	245.73	50.92	85.15	16.50			788.83	160.42
Total			93.00		50.92		727.60				871.52
deHaan, Dale S.:											
Germany	Deutsche mark					10,783.60	2,700.24			10,783.60	2,700.24
Hong Kong	Dollar	299.68	51.00	525.56	92.00	50.94	8.00	281.32	49.00	1,157.50	200.00
Japan	Yen	19,440	54.00	28,800	80.00	5,760	16.00	18,000	50.00	72,000	200.00
Switzerland	Franc	1,008.20	234.00	1,289.80	299.00	529.90	122.48	280.50	65.00	3,108.40	720.48
Total			339.00		471.00		2,846.72		164.00		3,820.72
Mesmer, Fred M.:											
France	Franc	880	179.97	910	186.70	7,465.47	1,516.15	170	33.33	9,425.47	1,916.15
Germany	Deutsche mark	690	173.12	775	194.08	643.45	161.80	90.50	22.73	2,198.95	551.73
Ireland	Pound	49.44	125.00	50	126.00	49.53	118.22	20	49.00	168.97	418.22
Italy	Lira	213,400	343.08	241,250	384.92	225,632	360.98	56,200	90.03	736,482	1,179.01
Switzerland	Franc	1,468	339.08	1,751	406.44	1,844	425.21	234.75	54.48	5,297.75	1,225.21
United Kingdom	Pound	56	155.92	65	180.30	96	270.61	5	13.78	222	620.61
Total			1,316.17		1,478.44		2,852.97		263.35		5,910.93
Nolan, John E.: Vietnam	Piastre	29,500	250.00	23,600	200.00	5,900	50.00	11,800	100.00	70,800	600.00
Powers, N. Thompson: Vietnam	do	23,600	200.00	20,650	175.00	2,950	25.00	11,800	100.00	59,000	500.00
Prettyman, E. Barrett, Jr.: Vietnam	do	23,600	200.00	20,650	175.00	2,950	25.40	11,800	100.00	59,000	500.00
Safran, Nadav:											
Germany	Deutsche mark					5,302.80	1,334.71			5,302.80	1,334.71
Israel	Pound	883	304.00	585	185.00	102	34.00	51	17.18	1,521	540.18
Switzerland	Franc	216	51.00	130	30.00	43	10.00	40	9.00	429	100.00
Total			355.00		215.00		1,378.71		26.18		1,974.89
Sommer, John G.: Vietnam	Piastre	28,000	237.00	28,000	237.00			3,000	26.00	59,000	500.00
Sourwine, Julien G.:											
Germany	Deutsche mark					3,010.49	756.95			3,010.40	756.95
United Kingdom	Pound	29.4.4	81.81	10.5	28.70	18.16.9	53.67	13.3	1.86	58.18.16	166.04
Total			81.81		28.70		810.62		1.86		922.99
RECAPITULATION											
Foreign currency (U.S. dollar equivalent)										\$21,144.2	

PROPOSED EXPANSION OF NATIONAL AIRPORT

Mr. BREWSTER. Mr. President, it is now 2 years since the first commercial jet aircraft landed at National Airport.

This morning's Washington Post says it all in one brief sentence:

The greatest mistake that has been made was letting the first jet land at National because this encouraged the airlines to plan on bringing more and bigger jets there.

The Post's editorial was prompted by the recent publication of the Air Transport Association's master plan for the Washington airports. The ATA wants National expanded so that it can handle ever bigger jets. Such expansion would,

of course, only add to the problems that already exist. The hazards of heavy air traffic in the skies over Washington would be increased. Congestion on the ground would be unbearable. The crush of planes, ground vehicles, and people would lead to a chaotic situation.

Meanwhile, Dulles and Friendship, two modern airports built and equipped for the jet age, stand in close proximity to Washington without any of the problems that beset National Airport. It would be far wiser to phase commercial operations to Dulles and Friendship. National would remain to serve the great number of general aviation craft that already compete with the big jets for its limited space and facilities.

Mr. President, I ask unanimous consent that the Post editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

GOOD NEIGHBOR TO WHOM?

The Air Transport Association was very careful in announcing its master plan for the Washington airports to say it was seeking "the dual objectives of best serving the traveling public and being a good neighbor to the community." But its concept of neighborliness seems rather strange when the plan urges that National Airport be expanded in a way permitting it to handle the monster jets of the future and that the runways be changed so some of the planes will disturb those who live along the Anacostia River instead of those who live in Georgetown.

Under the plan, of course, a new terminal would have to be built at National and parking spaces would have to be tripled, since the airport would be handling more than twice as many people in 1975 as it did in 1965. A new runway would have to be added and an existing one expanded with part of the construction sticking into the river. There would have to be, naturally, new access roads. The cost would be well over \$50 million. In the meantime, this organization of airlines says, the growth of Dulles would continue and 10 years from now it might begin to be almost as busy as National.

If the airline industry could get one simple idea implanted in its collective mind, Washington's problems with air transportation would be suddenly simplified. That simple idea is that National Airport is not a fit place for a major terminal in the jet age. The noise, the dirt, and the safety problems of having jet planes landing in the middle of a city cannot be tolerated. The greatest mistake that has been made was letting the first jet land at National because this encouraged the airlines to plan on bringing more and bigger jets there.

This master plan by the airlines is a massive disappointment. The real task is to figure out how to transfer the traffic from National to Dulles. On this the plan is silent. But since the airlines insist on blinding themselves to the fundamental objection to National, the silence is understandable. What is not understandable is why the airlines are so intent on flying jets through the bedrooms and yards of so many people. Maybe the airline executives have become so immune to noise and dirt and danger that they don't know that some people still care.

GREATER PROTECTION NEEDED BY DISTRICT OF COLUMBIA MERCHANTS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the RECORD an article which appeared

in the Washington Evening Star of May 11 entitled "Merchants Demand Greater Protection," together with an article by Irna Moore, Washington Post staff writer, which appeared in the Post of May 12, entitled "Dealer in Antiques, Disturbed by Riots, Closes His Doors."

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Evening Star, May 11, 1968]

MERCHANTS DEMAND GREATER PROTECTION

About 20 downtown businesses have sent telegrams to the White House to "strongly urge that the President or other high authority make frequent public announcements that law and order will be upheld in the Nation's Capital."

The telegrams, similarly worded but sent separately by the firms, also ask "that appropriate enforcement measures be taken now."

The wires do not represent any formal group and their sending was informally arranged, one business executive said today. Most of the businesses are along downtown G Street NW, an area that saw spotty looting during the riot here last month.

INSERTED IN RECORD

The wires also were sent to Sen. Robert C. Byrd, D-W. Va., and Sen. John McClellan, D-Ark. The latter inserted them into the Congressional Record and referred to them yesterday during his speech in the Senate on the Safe Streets bill. McClellan had previously said that he has turned over to authorities information alleging a militant plot to take control of the Poor People's Campaign from the Rev. Ralph Abernathy.

Both Byrd and McClellan have asked for strong law enforcement statements from the President—and unsuccessfully asked the Justice Department to get a court injunction to block the campaign.

McClellan also included in the Congressional Record a statement from the Business and Professional Association of Far Northeast here which backs year-around, "birth to maturity" education, with job training, and asks "stern and unyielding enforcement of laws."

RAPS ABERNATHY REMARKS

Quoting a headline, "He'll Be Tough, Abernathy Says," McClellan said: "Does that mean he is going to be nasty when he gets here? I do not know how one can draw any other conclusion. If the newspaper (The Star) quoted him correctly, here is what he said: 'I won't be violent.'"

"Of course they always couch it that way, knowing that what they are doing is calculated to incite to violence," McClellan said.

Also inserted in the Congressional Record were a statement from the North Washington Council of Citizens Associations urging no "occupation" of federal property by the Poor People's Campaign and a letter from a man in Vienna, Va., calling the campaign a "Communist invasion of Washington."

Sometimes shouting and shaking his fist, McClellan advocated passage of the safe streets bill, attacked some court rulings and issued warnings about the Poor People's Campaign. He then inserted in today's Congressional Record some of the hundreds of letters he said he has been receiving on these subjects.

Many of the letters and wires from over the country voiced fear there may be some criminal linkup with the campaign.

Two were from businesses that said they had jobs but no takers. A firm in Atlanta said it had 100 jobs at \$1.80 to \$2.80 an hour "going begging." An Arkansas firm said it had 325 unfilled jobs with pay starting at \$1.89 an hour.

Rep. John S. Monagan, D-Conn., commented yesterday that the campaign has a

"potential for tragedy," and Rep. Harley O. Staggers, D-W. Va., said troops should be stationed here immediately "to protect marchers as well as residents of the city."

[From the Washington (D.C.) Post, May 12, 1968]

DEALER IN ANTIQUES, DISTURBED BY RIOTS, CLOSES HIS DOORS (By Irna Moore)

Johnny DiLizza considers himself an American success story: an immigrant from Italy with \$14 in his pocket in 1947 and now the owner of a successful Washington antique shop who makes chandeliers for the wealthy, the embassies and the U.S. Capitol.

But since last month's rioting he has felt discouraged and has decided to close up his shop, Gonzalez Antiques, at 2414 18th st. nw., and go back to Italy for a few months "until things cool down."

"My life is an example of the great opportunity this country offers, the chance to really feel like being a man," DiLizza said at his shop yesterday. "But now all this happens and all of a sudden you feel let down."

DiLizza learned the art of chandelier making from Henry Gonzalez, the original owner of the store, when he came to this country in 1947. Six years later Gonzalez gave him the store—for \$10—and DiLizza estimates that he has made 7000 chandeliers since then.

His prize project has been the 18 chandeliers he constructed for the Capitol; his most expensive, a \$10,000 fixture made for a New York restaurant. An average chandelier takes him about two hours, but the \$10,000 job took three weeks.

Now a husky and graying 44, DiLizza said frankly that he was "frightened, discouraged and confused." A small antique shop which he owns next door was looted during the rioting of \$4200 worth of merchandise.

"Three times since then I've gotten phone calls saying that I was going to be burned out," he said. "I spent the whole day moving out and then I move them back in again. No one can work this way."

He added that he has never considered himself a businessman or the work he does a business, but "It's more like a family, all my customers are friends too." Many of them came to help me move his work those three times he said.

Pointing to the 35 crystal and bronze chandeliers suspended from the shop's ceiling, DiLizza said: "But this is not a shop to take a chance with, there are too many priceless things. All the insurance in the neighborhood was canceled about a year ago—they said the area was too risky."

Now he plans to take as much as he can out of the store, close it up for five or six months and spend the time at a house he owns in his native Sorrento.

"I'm just closing for a while—it's the only way," he said. A U.S. citizen since 1954, DiLizza stated that he would never think of not coming back.

"I'm not running away, just letting things cool down," he added. "If I moved the shop to some other neighborhood the other businesses on this street would follow me and the whole area would be hurt."

"If I did that, I'd be running all the time. This way, if things change, if the government does something for the people, if I can come back here I will."

LAWLESSNESS IN THE DISTRICT OF COLUMBIA

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert the following news articles in the CONGRESSIONAL RECORD:

A story which appeared in the Washington Post of Saturday, May 11, entitled

"Three Buildings Burned Out; Arson Seen";

A news story in the Washington Post of May 11, entitled "Two Bus Drivers Robbed Within Half an Hour";

A news story in the Washington Post of May 12, entitled "Bus Driver Shot, Robbed by Gunmen";

A news story which appeared in the Washington Sunday Star of May 12, entitled "Shots Fired Into Two District of Columbia Firehouses";

An article by Walter Gold, titled "School Blazes Set, Youths Jeer Firemen," which appeared in the Washington Star of May 13; and

A news story titled "Youths Rape Girl, 14, at UPO Dance," which appeared in today's Washington Star.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, May 11, 1968]

THREE BUILDINGS BURNED OUT—ARSON SEEN

A fire that officials said was set by youths with cans of flammable liquid burned out three buildings in the 2900 block of 14th Street nw. last night. The blaze was out of control for more than an hour.

Fire Insp. George Meyer called the blaze "definitely a case of arson." He said gasoline cans were found in three businesses in the block between Harvard Street and Columbia Road. All were total losses, he said.

The affected buildings were House of Jerry's clothing store at 2929, Thomsen Jewelry at 2913 and Caruso Florists at 2917. All had been damaged in the April riots.

About 25 pieces of fire equipment went to the scene at 9:20 p.m. A second alarm was turned in two minutes later.

Smoke damage to a neighboring building at 1372 Columbia rd. nw. was said to be extensive. The building has a common wall with two of the burned stores.

Assistant Fire Chief William C. Wietzel, who directed operations, said the fire was almost under control about 9:45 p.m. when it suddenly erupted again in a ball of flame. Several firemen on ladders near the buildings at the time narrowly escaped.

Other fires last night that officials said were of suspicious origin included:

A restaurant at 701 Rhode Island ave. nw. that was damaged about 5 p.m. for the second straight night by flammable liquids being lit inside, Insp. Meyer said.

A trash fire at 10:15 p.m. in the rear of the 1400 block of Irving Street nw. that caused minor damage.

[From the Washington (D.C.) Post, May 11, 1968]

TWO BUS DRIVERS ROBBED WITHIN HALF AN HOUR

Two D.C. Transit bus drivers were robbed half an hour apart yesterday, one of them by a group of about 20 teenage youths.

Driver John D. Rogers, 24, said a group of youths got on his bus at 6th Street and Mississippi Avenue se, about 3:35 p.m. The boys, none of them armed, forced Rogers to turn over about \$130 in bills, change and tokens.

Half an hour earlier, driver John T. White, 43, was approached from behind by a passenger armed with a knife in the 100 block of Irvington Street sw. White gave the man 250 tokens and unknown amount of bills and change.

[From the Washington (D.C.) Post, May 12, 1968]

BUS DRIVER SHOT, ROBBED BY GUNMEN

One of three bandits shot a D.C. Transit System bus driver in the right arm Friday

night as he complied with the order of another gunman to turn over his money.

Police said the victim, Wade H. Winklepleck, 37, of 3329 S. Wakefield st., Arlington, was accosted by the gunmen at his layover stop, South Capitol Terrace and Joliet Street sw., at about 11:30 p.m. Winklepleck told police the three boarded his bus at 8th Street and Virginia Avenue sw. and were about to get off when they pulled guns and announced the holdup. They escaped with an undetermined amount of money and tokens. Winklepleck was released after treatment for his wound in Hadley Memorial Hospital.

[From the Washington (D.C.) Sunday Star, May 12, 1968]

SHOTS FIRED INTO TWO DISTRICT OF COLUMBIA FIREHOUSES

Shots have been fired into two District firehouses since the civil disorders here last month, but nobody was hurt in either incident, fire officials reported.

An officer of Engine Company No. 12, at North Capitol Street and Florida Avenue, said a single shot was fired into the firehouse about 9 p.m. Thursday while the company was out on a call.

The shot passed through the firehouse door, dented the cowl of a hose truck parked inside, and ricocheted into a wall, the officer said. He said police investigating the incident estimated that the bullet came from a 25-caliber or larger weapon. He said the station has been threatened.

An officer of Engine Company No. 30, 49th Street and Central Avenue NE, said a shot was fired into that firehouse about 1:30 a.m. on Sunday, April 18.

The bullet passed through a window and into a wall, he said. The officer said his company received no threats either before or since the incident.

[From the Washington (D.C.) Evening Star, May 13, 1968]

SCHOOL BLAZES SET—YOUTHS JEER FIREMEN (By Walter Gold)

Vandals broke into a Southeast Washington elementary school last night, ransacked most of the classrooms and set three fires, before fleeing past firemen, police reported.

The fires were confined to sections of two classrooms and an auditorium at Turner Elementary School, Stanton Road and Alabama Avenue SE. The loss was estimated at about \$1,000 and other damage was expected to total several hundred dollars.

Although youths were still running through the building when firemen reached the scene at 8:40 p.m., police who arrived minutes later were unable to apprehend any of them. Hundreds of youngsters taunted firemen while they fought the blaze, but there were no serious incidents.

ELEVEN OTHER FIRES SET

Eleven other arson cases were reported throughout the city during the night, the highest number of blazes set here on a single night in recent weeks. None of the blazes, including the school fire, caused serious injury or extensive property damage, fire officials reported.

Some of the buildings burned last night bore "Soul Brother" markings which, in other cities, have protected businesses owned or operated by Negroes. Recent arson cases here have been acts of vandalism rather than racially motivated, police and fire officials agreed today.

Vandals who broke into the Turner school apparently forced their way in through boarded up ground-floor windows, police said.

The youths, believed to have been between 6 and 14, went from room to room, turning over desks, scattering school papers and spreading paint and ink around the rooms. School officials said the 3-story school build-

ing "was a mess, but a lot of straightening up will repair most of the damage."

Before fleeing, the youths used matches to set desks and books on fire in the two classrooms and to ignite a small blaze on the auditorium floor. Some of the youths apparently remained behind long enough to show firemen where the blazes were, according to Fire Inspector George I. Meyer.

Saturday night, another fire believed set by arsonists caused about \$100 damage to a window area of the Browne Junior High School at 24th Street and Benning Road NE, fire officials said.

Fire officials termed another small fire Saturday near Glover-Archibold Park in Northwest Washington a case of arson, but discounted the possibility that the blaze was connected with the rash of fires set by arsonists in inner city areas since last month's rioting.

The fire was reported at 2:21 p.m. in the basement of a 2-story apartment building at 3904 Edmunds St. NW, an area between the park and the U.S. Naval Observatory.

No injuries were reported, but fire officials said damage to a basement storeroom was extensive, where several rugs apparently had been set afire.

Last night's 11 arson cases, in order of the time they were reported, were:

TRASH SET ON FIRE

At 11:49 p.m., arsonists believed to have been juveniles set some trash on fire in the rear of 3178 Mount Pleasant St. NW, causing minor damage.

At 12:20 a.m., another group set fire to trash in the rear of 1028 Bladensburg Road NE, resulting in minor damage.

Eighteen minutes later, another trash fire was set in a basement storage room at 637 3rd St. NE, causing about \$200 damage.

At 1:34 a.m., someone set an abandoned car on fire in the 2400 block of Ontario Road NW, partly destroying it.

Eleven minutes later, a fire was reported on a vacant second floor of a building at 701 Rhode Island Ave. NW, the fourth time in a week that arsonists have set fires at that address. The other fires all were started in a restaurant-drugstore on the street level. Last night's blaze caused moderate damage to what remained from the previous fires.

As weary District firemen were leaving the Rhode Island Avenue blaze, another fire set by arsonists a few blocks away engulfed an already burned-out liquor store on the southwest corner of 9th and P Streets NW. This blaze, reported at 2:01 a.m., also heavily damaged several second-floor apartments where two occupants were overcome by smoke and briefly hospitalized.

Fifteen minutes later, still another burned-out building was set on fire again at 1501 1st St. NW, causing minor damage.

And two minutes later, at 2:17 a.m., another building was set on fire at 401 H St. NE, also causing minor damage.

At 2:25 a.m., more trash was set on fire by arsonists at 1650 3rd St. NW, causing little damage.

At one minute to 3 a.m., another abandoned car was set on fire in front of 1733 Willard St. NW, causing heavy damage to the car.

And at 3:58 a.m., juveniles broke into Bregman's Variety Store at 1246 H St. NE and set a rear room on fire, causing moderate damage.

[From the Washington (D.C.) Evening Star, May 13, 1968]

YOUTHS RAPE GIRL, 14, AT UPO DANCE

A 14-year-old girl was raped Saturday night when she went to a dance in the basement of a United Planning Organization youth center, police reported.

The girl and a companion had gone to the center at 2740 14th St. NW to attend the dance in the basement and both were

grabbed by a group of youths as they entered. The other girl escaped. The 14-year-old was then raped by three youths, police said. She was treated for a laceration of the right eye at D.C. General Hospital. The girl and her three assailants are all Negroes.

Police said the adult supervisors for the dance were upstairs when the attack occurred.

A 42-year-old woman was raped and robbed at gunpoint by a youth about 17 around 11 p.m. Saturday in a vacant lot in the 700 block of Division Avenue NE, police reported. The woman, a Negro, was treated at D.C. General for a cut knee and released. She said her assailant was also a Negro.

An attempted rape was reported by a 20-year-old woman early yesterday in the Far Northeast. She told police a gunman broke into her apartment through a window and told her he was hiding from police after committing a robbery minutes before. Her two children were asleep in the next room.

The woman, a Negro, told police the man, who was also a Negro, fled after trying to rape her.

TOWARD FREEDOM FROM FEAR

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the RECORD an article entitled "Nixon: 'Toward Freedom From Fear,'" which appeared in the Washington Post of Sunday, May 12.

There being no objection the article was ordered to be printed in the RECORD, as follows:

NIXON: "TOWARD FREEDOM FROM FEAR"

(NOTE.—In the brief span of time since Richard M. Nixon released his policy paper on crime last Wednesday, it has become clear that the position set forth will become an issue in the campaign. Outlook here reprints excerpts from the text, which Nixon entitled "Toward Freedom From Fear.")

In the last seven years, while the population of this country was rising some 10 per cent, crime in the United States rose a staggering 88 per cent. If the present rate of new crime continues, the number of rapes and robberies and assaults and thefts in the United States today will double—by the end of 1972.

This is a prospect America cannot accept. If we allow it to happen, then the city jungle will cease to be a metaphor. It will become a barbaric reality, and the brutal society that now flourishes in the core cities of America will annex the affluent suburbs. This Nation will then be what it is fast becoming—an armed camp of 200 million Americans living in fear.

But to stop the rising crime rate and to reduce the incidence of crime in America, we must first speak with a new candor about its causes and cures.

We cannot explain away crime in this country by charging it off to poverty—and we would not rid ourselves of the crime problem even if we succeeded overnight in lifting everyone above the poverty level. The role of poverty as a cause of the crime upsurge in America has been grossly exaggerated—and the incumbent Administration bears major responsibility for perpetuation of the myth . . .

In recent years, this Nation has grown wealthier and its riches have been more widely distributed than in any other country in the world. And yet crime has been going up about three times as rapidly as the GNP (gross national product).

And poverty tells us nothing about the enormous increases in juvenile crime and drug abuse by teen-agers in the affluent suburb of America.

The success of criminals in this country plays a far greater role in the rising crime

rate than any consideration of poverty. Today, an estimated one in eight crimes results in conviction and punishment.

If the conviction rate was doubled in this country, it would do more to eliminate crime in the future than a quadrupling of the funds for any governmental war on poverty.

In short, crime creates crime—because crime rewards the criminal. And we will reduce crime as we reduce the profits of criminals.

There is another attitude that must be discarded if we are to wage an effective national war against this enemy within. That attitude is the socially suicidal tendency—on the part of many public men—to excuse crime and sympathize with criminals because of past grievances the criminal may have against society. By now Americans, I believe, have learned the hard way that a society that is lenient and permissive for criminals is a society that is neither safe nor secure for innocent men and women.

One of the operative principles of a free society is that men are accountable for what they do. No criminal can justify his crimes on the basis of some real or imagined grievance against his society. And our sympathy for the plight or the past of a criminal cannot justify turning him loose to prey again upon innocent people. . . .

ORGANIZED CRIME

Organized crime is the tapeworm of the American society. In recent years it has prospered as never before and broadened its influence in government and legitimate business and unions. The absence of an adequate response at the national level to this national threat is a glaring failure of the present Administration.

One of the most effective groups of men within Government combatting this kind of criminal activity over the years has been the Organized Crime Section of the Department of Justice. Yet when President Johnson took office, the number of man days spent in field investigating by members of the OCS, the number of man days spent testifying before grand juries and the number of man days spent in court all suddenly decreased between 50 and 75 per cent.

This wholesale de-escalation of the Justice Department's war against organized crime has not to this day been adequately explained.

Equally puzzling is the Administration's adamant opposition to the use—against organized crime—of the same wiretap and electronic surveillance the Government employs to safeguard the national security. Not only does the Administration oppose the use of these weapons against crime, it has asked Congress to forbid that use by law. Such legislation would be a tragic mistake.

Organized crime is a secret society. By denying to state and Federal law-enforcement agencies the tools to penetrate that secrecy, the President and the Attorney General are unwittingly guaranteeing the leaders of organized crime a privileged sanctuary from which to proceed with the systematic corruption of American life . . .

An overwhelming majority of the President's own blue-ribbon crime commission recommended enabling legislation for the use of wiretap. The Judicial Conference, consisting of ranking Federal judges from across the Nation and headed by Chief Justice Earl Warren, has approved such legislation. And the Supreme Court has left the door open to a carefully drawn wiretap measure with proper safeguards . . .

STEPS BY CONGRESS

There are other steps which Congress can take independently to strengthen the peace forces in our society against the forces of organized crime. Some of these recommendations have been endorsed by the President's commission on crime.

1. Congress should enact legislation mak-

ing it a Federal crime to invest in legitimate business either money which has been gathered from illegal racket activities or money that has not been reported for income tax purposes. Such measures would focus the tax enforcement machinery on the problem of organized crime.

2. Congress should authorize substantial increase in the number of Customs Bureau officials. In the last decade, while the number of customs officials has risen 4 per cent, the number of people entering the country has risen 50 per cent and the number of aircraft 100 per cent. These would be an effective deterrent to the import of narcotics, a multi-million dollar annual item in the income statement of organized crime.

3. Congress should establish a permanent joint congressional committee on organized crime.

4. Congress should authorize whatever Federal personnel are necessary to carry out the new responsibilities under these pieces of recommended legislation.

5. Congress should enact the Republican-proposed organized crime immunity statute. Once granted immunity from prosecution based on his testimony, a witness would be required to testify before a grand jury or at trial, or face jail for criminal contempt. This would be another and an effective legal tool with which to cut through the curtain of secrecy that envelops organized crime. Witness immunity would make it possible to get to the higher echelons of the crime syndicate.

These are a few of the steps that can and should be taken if we are to make realistic rather than rhetorical progress in uprooting the infrastructure of organized crime. Yet both the President and his Attorney General, Mr. (Ramsey) Clark, who have the principal responsibility for leading the war on organized crime, are either indifferent to or in active opposition to a majority of these measures.

That attitude has made of the President's proposal to the Congress the kind of compromise legislation that organized crime can live with . . .

STREET CRIME

But organized crime, though a multi-billion-dollar enterprise and a major contributing factor to street crime, cannot alone explain the 88 per cent increase in muggings, robberies, rapes and assaults over the past seven years. Another contributing cause of this staggering increase is that street crime is a more lucrative and less risky occupation than it has ever been in the past. Only one of eight major crimes committed now results in arrest, prosecution, conviction and punishment—and a 12 per cent chance of punishment is not adequate to deter a man bent on a career in crime. Among the contributing factors to the small figure are the decisions of a majority of one of the United States Supreme Court.

The Miranda and Escobedo decisions of the high court have had the effect of seriously hamstringing the peace forces in our society and strengthening the criminal forces.

From the point of view of the peace forces, the cumulative impact of these decisions has been to very nearly rule out the "confession" as an effective and major tool in prosecution and law enforcement . . .

From the point of view of the criminal forces, the cumulative impact of these decisions has been to set free patently guilty individuals on the basis of legal technicalities.

The tragic lesson of guilty men walking free from hundreds of courtrooms across this country has not been lost on the criminal community.

The balance must be shifted back toward the peace forces in our society and a requisite step is to redress the imbalance created by these specific court decisions. I would thus

urge Congress to enact proposed legislation that—dealing with both Miranda and Escobedo—would leave it to the judge and the jury to determine both the voluntariness and the validity of any confession. If judges and juries can determine guilt or innocence they can certainly determine whether a confession is voluntary and valid. The rule of reason and justice should replace the Dickensian legalisms that have obtained as a result of recent Supreme Court decisions.

(In Title III of the omnibus crime bill now pending in the Senate, there is a proposal to correct the imbalance resulting from these decisions; that proposal deserves passage despite the vigorous opposition of the Attorney General.)

If it should become impossible to draw such legislation to the satisfaction of the high court, then consideration should be given to amending the Constitution. Involved here is the first civil right of every American, the right to be protected in his home, business and person from domestic violence, and it is being traduced with accelerating frequency in every community in America.

These decisions by a majority of the Supreme Court have had a far-reaching impact in this country. They have been the subject of controversy; they were the focus of vigorous dissent on the part of the minority. And I think they point up a genuine need—a need for future Presidents to include in their appointments to the United States Supreme Court men who are thoroughly experienced and versed in the criminal laws of the land.

NATION'S CAPITAL

There is another area where the Federal Government can not only play a leading role—but where it has the opportunity to make a dramatic demonstration of its concern with the problem of crime, its commitment to new solutions and the efficacy of its proposals. That is in Washington, D.C.—the Nation's Capital, where the authority of the Federal Government is great and its prerogatives many.

Today, Washington, D.C., should be a model city as far as law enforcement is concerned—a national laboratory in which the latest in crime prevention and detection can be tested and the results reported to a waiting Nation. The record, however, is otherwise.

If across America the peace forces in city after city and state after state have been gradually giving up ground to the criminal forces—in Washington, D.C., the forces of peace are in disorganized retreat. Since 1960, crime in the Nation's Capital has increased by 100 percent.

Again, however, the Administration has been slow to recognize the developing threat. It was only after severe criticism and intense public pressure that the D.C. crime bill was finally signed into law by the President in 1967.

A LAWLESS SOCIETY

These are not all of the steps that should be taken. But here, in these proposals, I believe a beginning can be made toward removing from this Nation the stigma of a lawless society.

If the American people are willing to commit themselves to pay the necessary price to restore peace to the society, it can be done. If they are willing to commit themselves to the proposition that any man who disobeys the law pays the penalty the law exacts, then we can begin to turn this crime wave back.

We can put an end to an urban situation where the infirm, the old and the women refuse to visit their parks or enjoy the entertainment and good life a city can offer because they are afraid. We can reduce crime by making it a more hazardous and less rewarding occupation.

In connection with the President's crime commission report, a poll was taken of aver-

age Americans. It found that of those polled 43 percent were afraid to be on the streets at night; 35 percent would not speak to strangers and 21 percent used cars and taxis at night to avoid mass transit.

Those are not the statistics of a great society; they are the statistics of a lawless society—they are statistics we must and will change.

PRESS CANNOT WIN IN VIETNAM WAR

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the RECORD an article by Joseph Alsop which appeared in the May 12 issue of the Washington Post entitled "Press Cannot Win in Vietnam War."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PRESS CANNOT WIN IN VIETNAM WAR

(By Joseph Alsop)

Because of the Vietnamese war, the American press and its allied media now appear to be between a very rough rock and a very hard place. For a newspaperman who remembers with relish and some pride no less than 36 years of active reporting, it is a dreadful thing to have to say. Yet if we win the war, as I still think we shall, both the press and the allied media will certainly look inconceivably foolish. And if we lose the war, the press will just as certainly be blamed—whenever the horrible inquest begins that will surely follow the first defeat in war in American history.

There you have both rock and hard place, simply and crudely defined. Both the hard place and the rock result from the tone and character of the reporting from Vietnam, of the endless published analyses of Vietnamese developments, and of the interminable editorializing about the war, by all but a minority of those engaged in these pursuits. This does not mean for one moment that the vast majority of reporters, editorial writers and the rest are not courageous, industrious and honorable men, who have sought to tell the truth according to their lights. But it does mean that for one reason or another, to which I shall try to come later, the part of the truth most of them have told has conveyed an exceptionally misleading picture of the whole truth.

The easiest way to gauge how totally misleading that picture has been is to glance at the amazing letter that Arthur Schlesinger Jr. published on March 22 in The Washington Post. The letter was a plea, no doubt honestly anguished, for the immediate evacuation of Khesanh. Schlesinger began by accusing Gen. William C. Westmoreland of "repeating the fatal error of the French (by placing) a large body of troops out in the hills where they can be surrounded and cut off." This, exclaimed Schlesinger, "is precisely what we have succeeded in doing at Khesanh. Today, 5000 American soldiers are surrounded and cut off by 20,000 of the enemy, every night creeping and burrowing further in toward their target."

DISMISSED WESTMORELAND

Putting on a borrowed Field Marshal's hat, Schlesinger then explained that no "people in their senses" could possibly "suppose that airpower will now 'save' Khesanh in case of attack." He contemptuously dismissed General Westmoreland as a "tragic and spectacular failure." He included the usual sneer at President Johnson. And so he reached his grand climax, as follows:

"Yes: airpower is one vital difference between Khesanh and Dienbienphu. For, if airpower cannot save Khesanh, it may still save the men in Khesanh. Let us (use airpower to evacuate Khesanh), before enemy anti-air-

craft batteries interdict our flights, before enemy mortars destroy our landing strip, before enemy shock troops overrun the base. Let us not sacrifice our brave men to the folly of generals and the obstinacy of Presidents."

In short, Schlesinger was firmly convinced, as late as March 22, that Khesanh and its defenders were sure to be overrun. If his conviction had not been absolute, he would hardly have risked writing such a letter, which he can hardly look back upon today without novel self-doubts. But—and here is the rub—much of the American press and most of the allied media need only read the Schlesinger letter to see themselves, as in a mirror. He was perhaps overeager to believe the worse, and he seems to have taken very poor military advice. But he was above all misled by his informants; and his chief informants, one may be sure, were the front pages and the television shows. "The agony of Khesanh" was one of the current phrases, and others might be cited.

TEDIOUS BATTLE

What, then, was it really like, and what actually happened? To begin with, Khesanh was no more agonizing, though it was a damned sight more tedious and long drawn out, than any other combat experience. We had four battalions in Khesanh—the 26th Marine regiment plus a battalion of the 9th Marines—and the South Vietnamese, of whom Schlesinger appears not to have heard, had the equivalent of two battalions. Like any battle, Khesanh produced its honored dead, for that, alas, is what battles always do. But between the beginning and the end of the siege, the American units at Khesanh actually lost, in killed, not many more than 200 men, whereas a single battalion of Marines lost 70 killed—about one-third of the comparable losses of four battalions at Khesanh—in the recent hard and heroic fight for Daido, which lasted only a few days.

At Khesanh, again, the American casualties mainly resulted from enemy artillery and mortar fire, rather regularly described as "infernos of incoming." And this was a fairly curious phrase for an enemy rate of fire that averaged only 192 artillery and mortar rounds per day throughout the siege. When I was there for a bit more than a day, for instance, the Khesanh base took 154 incoming rounds. That was a bit below average, but it is still worth noting that except for four badly mis-aimed rounds fired at the landing zone when I was waiting for a departing helicopter, I actually heard a grand total of three incoming rounds. And despite other infirmities, I am not yet deaf, and the tough and able Khesanh commander, Colonel David Lownds, kindly allowed me to accompany him on a long tour on foot around the whole big base, with the exception of South Vietnamese positions and the hill-outposts held by our Marines beyond the perimeter.

FAILURE OF GIAP

The truth is, indeed, that one of the major but untold stories of Khesanh was the astonishing failure of General Vo Nguyen Giap's logistical planning for his artillery. Besides mortars, Giap had caused to be emplaced, with infinite labor, a minimum of 210 artillery tubes—some estimates go as high as 370 tubes—on a long arc from Co Roc in Laos, along the DMZ, to Cap Muy Le on the coast. Giap had the guns, in short; but at Khesanh and along the DMZ his really ludicrous average rate of artillery fire, again excluding mortars, was less than one round per gun per day in the period of the siege.

Nor is that the end of the story, by any means. On March 21, the day before Schlesinger published his letter, the last of the serious assaults on Khesanh was attempted. It failed in a most sanguinary fashion because of our Marines' courage and the terrible power of our air and artillery. There were either three, or four, or five such at-

tempts in the course of the siege—the number is disputed among the Marines themselves—and all failed in the same manner.

The failure of the last assault, so beautifully coordinated with the Schlesinger letter about Khesanh being "over-run," seems to have been the signal for the withdrawal into Laos of one of the two besieging North Vietnamese divisions, the 325C. This was, in fact, the beginning of the end of Giap's ambitious plan. Despite the inability of "people in their senses" to imagine anything of the sort, air power was already starting to break the Khesanh siege when Schlesinger wrote his letter; for it was the air that hurt the enemy most cruelly and forced the 325C to withdraw to lick its wounds. The situation of the besiegers at that time can be gauged from one of the pitiful little diaries that the North Vietnamese troops quite often keep. The diary, of a private named Vu Xuan Mau, was picked up outside the Khesanh perimeter after the siege was formally and finally broken in the first days of April. Mau's last entry was: "At Khesanh on March 23, a day full of bitter hardships and bloodshed."

MASS BURIALS DISCOVERED

The agony of Khesanh was in reality experienced, not by our brave, hardy but relatively fortunate men in the combat base, but the unhappy wretches like Private Mau. They were condemned to endure close on three months of incessant and terrible B-52 strikes, plus other air attacks, plus the kind of artillery fire that is maintained by U.S. guns with full logistical support. And what they endured took a fearful toll.

When the 1st Battalion of the 9th Marines moved out from the perimeter on April 4, prisoners of war immediately began to be taken, documents far more important than poor Mau's diary began to be found, and mass burials began to be discovered. The most careful analysis of all the resulting data has now revealed that the two enemy divisions at Khesanh, the 325C and the unfortunate 304th, which had to hang on to the end, almost certainly lost a total of about 10,000 men in the course of the siege. And in the grim mathematics of war, an exchange of 200-plus Americans (and a proportional number of South Vietnamese) against 10,000 North Vietnamese regulars, is the very opposite of a "tragic and spectacular failure."

Once again, moreover, that is by no means the end of the story. Unless General Vo Nguyen Giap is stark, staring mad, the siege of Khesanh was unquestionably no more than one part of a much larger, more ambitious military plan, the Tet offensive. And we should give thanks on bended knee that General Giap saw fit to tie up two of his divisions at Khesanh as part of his Tet plan. In the entire morass of nonsense published about Tet, very little indeed has been said about the one really dangerous situation that the offensive temporarily produced.

This was the two most northerly provinces of South Vietnam. Here much was written about the long, rough battle for Hue; but almost no attention was given to the disturbingly precarious supply situation caused by bad weather, the weight and persistence of the enemy attack, and the resulting breaks in all the usual supply lines. The position might well have become really unmanageable—the two most northerly provinces might even have been partly overwhelmed—if Giap had massively increased the weight of his attack in the two-province area, by using the two divisions that were fruitlessly tied up at Khesanh.

TOO LITTLE, TOO LATE

He saw his error soon when the Hue fighting began. He took two battalions apiece from the two divisions at Khesanh, and he marched them south to aid his troops at Hue, but this was too little and too late. Whereas if General Westmoreland had not

committed that "tragic and spectacular" error of refusing to abandon Khesanh, two additional North Vietnamese divisions would have been freed, pre-Tet, for other uses in the two Northern provinces; and if that had happened, the consequences would surely have been grave.

Compare, then, these hard facts concerning Khesanh and the fighting there with the picture of Khesanh conveyed by Arthur Schlesinger, who is, after all, an exceedingly intelligent albeit a violently partisan man. Remember, too, that this disparity between the reality in Vietnam and the picture given to the folks back home has been a standard phenomenon throughout much of the war. Countless examples might be cited, but one more must suffice. The most instructive, probably, is the constant denigration of ARVN that was a pre-Tet fashion in large sectors of the American press. This even earned a mention in dispatches by General Westmoreland for the newspaper that claims preeminence and one of the leading agency reporters in Vietnam.

In a message to the Defense Department, General Westmoreland addressed himself to one of the real puzzles of the Tet offensive: how on earth General Giap could have based his whole plan on the stated expectation of a "general uprising" by the urban population and of widespread defections among the ARVN units. On the second point, General Westmoreland noted that Giap had demonstrably been lied to, on an enormous scale, by the special "troop proselytizing" apparatus of the VC. But he added that he could hardly blame General Giap for being deceived, since the lies of the VC "troop proselytizing" apparatus had appeared to be so largely confirmed by the great American newspaper and the famous press association mentioned above. With mild irony, he concluded that these latter must now appear in Hanoi as important participants in a big American deception plan—for there were no defectors anywhere, and almost all the ARVN units, though under strength because of the national holiday, fought very well indeed at Tet.

R. F. K. SPEECH BRINGS ANGER

Meanwhile, however, the denigration of ARVN had already fed back into the American political scene. In a Senate speech, for instance, Sen. Robert F. Kennedy described the South Vietnamese troops as "skulking and malingering" while our Marines carried the burden of the battle for Hue. The news of the Senator's speech reached Vietnam while I was in I Corps, and I have rarely seen angrier men than the Marine officers who had fought in Hue along with South Vietnamese. Nor was this surprising. In their impact on an obstinate enemy, and in the sacrifices they made themselves, the South Vietnamese in the Hue battle performed almost identically with our own Marines.

They had, for example, 7704 men engaged, and they took 2134 casualties, suffering losses almost exactly proportional to our losses which were happily substantially smaller, since we had substantially fewer men engaged.

Furthermore, the South Vietnamese in Hue were fighting under heavy handicaps, as compared with our men. They almost wholly lacked the tanks and other big weapons that gave our units much greater organic firepower. Their arrangements for replacements were much more primitive than ours; and after the first days of sharp contact, not a few ARVN battalions had to fight on, and did fight on, after they had been reduced to 200 men or less. Furthermore, they were frequently called upon to attack, and regularly did attack, when they had to traverse over a hundred yards of the enemy's field of fire before they could bring their own weapons to bear.

That highlights another point of great significance, that was wholly omitted from the pre-Tet denigrations of ARVN. Briefly, Gen-

eral Westmoreland saw trouble ahead, and asked for M-16 rifles and other improved equipment for ARVN as long ago as 1965. For budgetary reasons, apparently, action on Westmoreland's request was long deferred by Secretary of Defense Robert S. McNamara. Thus, on the one hand, the ARVN units have always been immeasurably weaker than our units, in organic firepower, in all sorts of back-up resources, and above all, in mobility—and they will still be much weaker, despite the M-16 rifles that are now being provided at long last. And on the other hand, there was a long period when the ARVN units even had substantially less firepower than the newly re-equipped VC and North Vietnamese units.

KOREAN STORY AGAIN

Here we have the story of Korea all over again; for the Korean divisions were also denigrated during much of the Korean war, whereas their main weakness arose from the simple fact that they had been grossly under-armed by their American suppliers. This does not mean, to be sure, that ARVN has even been an ideal army, or that better weapons and more mobility will automatically make ARVN into an ideal army. When President Johnson finally intervened in earnest in Vietnam, ARVN was already a defeated army, and every ARVN officer knew as much. It takes some time to bring back a defeated army to a state of self confident proficiency. It takes even more time, too, to implant a full modern military system in a traditional Asian society; and this process was not really completed in Korea until President Chung Hee Park finally came to power. Patience is always needed in such matters. But instead of patience we have too often had the kind of shameful injustice Senator Kennedy was led to commit.

When I ask myself why Sen. Kennedy and so many others have been so regularly misled on so many key points concerning the war, I confess to a certain bewilderment. The fashions of the moment certainly have much to do with it. What has happened in Vietnam in this war resembles, on a vastly larger scale, what happened in the press hostel in Chungking in the war years in China. The fashion then was to make heroes of those virtuous agrarian reformers, Mao Tse-tung and his bloody-minded friends; and just about the only American reporter to avoid making an ass of himself by refusing to follow the fashion was Arch Steele of the old "Herald Tribune." Then too, in the Diem years in Vietnam, certain newspapers acquired what can only be called a vested interest in disaster; and since these were the Saigon bureaus with the greatest continuity, they had great leverage with latercomers. Then again, among younger newspapermen particularly, there is a strange new theory that all American officials and most American military officers are joined together in a vast conspiracy to gull the home folks, which it is the reporter's duty to attack and expose, as though he were attacking and exposing corruption in City Hall. It seems an odd approach to an American war, but it is certainly there.

NOT A HOPELESS WAR

This does not mean for one moment that the pessimists have always been wrong, or that the minority of optimists have always been right. As I look over my own coverage of the war, I think I have been broadly right about the war's larger patterns, both when I was very much more gloomy than any of my colleagues in the year prior to the American intervention, and after the intervention when I have been more hopeful than most. On the other hand, although I think I got the patterns right, I am well aware that I have sometimes been over-optimistic about the war's timeframes—in part, as over-reaction to the sort of stuff that was so widely written about Khesanh. Yet the fact remains that this has never been, and it is not now

a hopeless and unending war; and conveying just this impression has been the main thrust of far too much of the reporting, analyzing and editorializing.

So we get back to that rock and that hard place. Concerning the hard place, it must first of all be remembered that the Hanoi war-leaders' aim has always been to win the war in Washington, by the impact in America of their seeming success in Vietnam, just as the Viet Minh won the French war in Paris rather than at Dienbienphu. Here it is worth noting that the official Hungarian Communist newspaper some time ago published extracts from a strikingly interesting lecture on Dienbienphu, given by General Vo Nguyen Giap during a visit to Hanoi by Hungarian Foreign Minister Endre Sik.

"The battle of Dienbienphu," Giap was quoted as saying, "was essentially the last desperate exertion of the Viet Minh . . . Had we not been victorious there . . . our armed forces were on the verge of complete exhaustion . . . We had to put everything on one card." There are many reasons for believing, and Douglas Pike and all the other truly informed analysts in fact believe, that the motives for the Tet offensive were that Hanoi was in serious danger of losing the war of attrition, and therefore "had to put everything on one card." A major publication that at first reported the Tet offensive in the most lurid and gloomy terms, more recently came round to the view that Tet was a military defeat but a "psychological" success for the enemy. Yet if Tet was a "psychological" success, this was almost solely because the offensive's military motives, its true military results and most of its local effects were in the main painted in colors in America that had few recognizable links with the basic realities in Vietnam.

TO DESPERATE LENGTHS

That was the reason, of course, why Tet was so profound a shock to American opinion. Having put so much "on one card" at Tet, the Hanoi war planners are plainly going to the most desperate lengths, in order to try the same thing all over again. What the outcome will be, and above all, how it will be represented here at home, none can foretell. What the Hanoi war leaders will do if their next attempt fails or is aborted, also cannot be foretold precisely—although it is clear that they will then be in very bad trouble in South Vietnam.

Again, one cannot foretell with precision the effect of the talks, the partial bombing halt, and any future extension of the bombing halt, either in time or in area—but it is clear that the Hanoi war leaders are already beginning to exploit to the full the reduction of pressure, the release of resources by the partial bombing halt and the general easing of their situation that these factors have produced. Unless the President is very firm and very clear-minded, all this may perhaps produce exceedingly worrying consequences on the battlefield, at any rate for a certain period.

The main thing is that the war-situation has at length begun to have a strongly climatic smell. Hence, if the American people have the sturdiness and resolution not to imitate the French, an acceptable end of the war should therefore come into sight eventually, whether at the negotiating table or in other ways. Meanwhile the trouble is that a near-French mood, God save the mark, has been created in many quarters in America. But if this mood leads to final defeat, and there is a subsequent inquest—as there will surely be—the inquest cannot take the form it did last time. There will be no unlucky foreign service officers to serve as convenient victims, although they had far less influence on events and displayed considerably better judgment than most of the denizens of the Chungking press hostel. In the next round (which Heaven forbid), the press and the allied media can hardly

avoid being front and center. And if there is a next round, the American people's notable distaste for defeat in any form will probably insure even more injustice and ugliness than we experienced in the last round.

So I can only hope that instead of the hard place we get the rock—which means a great many people looking idiotically silly because we have finally won the war they said could not be won.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceed to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate stand in recess until 12 o'clock noon.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

At 10 o'clock and 59 minutes a.m., the Senate took a recess until 12 o'clock noon the same day.

The Senate reassembled at 12 noon, when called to order by the Presiding Officer (Mr. McIntyre in the chair).

ORDER FOR YEA-AND-NAY VOTE ON PENDING TREATIES

Mr. MANSFIELD. Mr. President, I ask unanimous consent that it be in order to ask for the yeas and nays on the pending treaties.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays on the two treaties.

The yeas and nays were ordered.

OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1967

The PRESIDING OFFICER. The hour of 12 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated by title.

The BILL CLERK. A bill (S. 917) to assist State and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government, and for other purposes.

The Senate proceeded to consider the bill.

Mr. MANSFIELD. Mr. President, is the Metcalf amendment the pending business?

The PRESIDING OFFICER. The Metcalf amendment is the pending business.

Mr. METCALF. Mr. President, I should like to take a few minutes at this time to explain this very simple amendment.

Amendment No. 746 merely would strike out the figure "50,000" with respect to provisions for the planning

grants, and it would provide that governmental units or municipalities of 25,000 would be permitted to get together for such governmental grants.

Senator MANSFIELD and I have prepared this amendment, and we urge that consideration be given to the needs of the sparsely populated States in the West so that they will not be forgotten in considering the proposed legislation with respect to the planning grants, police protection, police control, and police training.

Actually, if the 50,000 figure is retained, most of the communities of the West will be excluded. I mention Montana as an example. Only two cities in Montana have a population greater than 50,000—Billings and Great Falls.

Two cities have been most active in trying to sponsor this amendment. The mayor of one of the cities, Mayor Tom Powers, of Butte, is the president of the Montana Municipal League. He has been active in securing a resolution in favor of S. 917, in favor of police protection and police control. His community would be shut out if the 50,000 figure is retained, because Butte has a population of only 27,500.

The city of Missoula sent a delegation to Washington to testify in support of the bill and to call on various people at the Department of Justice. A delegation from the university also came to Washington, from the city of Missoula. That city, too, needs support and assistance in the planning grants. The city of Missoula also would be excluded because of its population.

So the two cities that need these benefits most would be completely deprived of them by this bill as it now reads.

At page 821 of the hearing, Senator McCLELLAN, who conducted the hearing, discussed the problem of whether or not a community—a county seat area, for example—could unite with a surrounding county to form a union, and that might be possible at times. Perhaps that would bring in the city of Helena as a fifth city, because there is a fringe area.

But there is a great deal of difference, especially in the West, in law enforcement in these larger counties and in law enforcement in the municipalities which are the county seat areas. For example, in Montana we have six counties with an area greater than the State of Connecticut, more than 5,000 square miles. The sheriffs and deputy sheriffs in administering the law in those counties, in the rural areas, are concerned with such things as branding control, stock theft, and situations of that nature, which in no way concern people in the metropolitan areas.

The sheriff of Missoula County, for example, is concerned with an entirely different system of law enforcement. So is the fish and game commission. A combination of those various groups certainly would not be feasible; and the finances involved in combining two or three cities would make it completely unrealistic to have any local training programs in effect, if we have to combine cities with populations of 25,000, 10,000, and 5,000.

This is true not only in Montana; it

is also true in Idaho, Wyoming, North Dakota, South Dakota, Colorado, New Mexico, Kansas, Nevada, Arizona, and Utah—all of whom have one or two cities with a population greater than 50,000.

But the real need is to help the cities with smaller populations and to give them an opportunity to participate in the benefits of this bill. The urgency of these problems is just as great in our State, from a different point of view, as they are in some of the more populous States along the eastern seaboard. So when this money is earmarked for planning—and we say we have \$25 million—we are concerned, in many of the Western States, that we will be completely deprived of the benefits of the proposed legislation, unless the figure is cut from 50,000 to 25,000. Our finances are as inadequate as the finances of the larger areas, and we need the same help, sometimes for a few different reasons.

So I urge that Senators who are concerned with the needs of cities having a population of hundreds of thousands or of millions also give consideration to the sparsely populated areas of the West and the needs of those areas.

We, in reciprocity, will give consideration to the very different needs in such cities as New York and Chicago and the other metropolitan areas, so that this bill will be a national bill, applicable to sparsely populated areas as well as to the thickly populated megalopolitan areas of the East.

Mr. President, I reserve the remainder of my time.

Mr. MANSFIELD. Will the Senator yield?

Mr. METCALF. I yield.

Mr. MANSFIELD. Mr. President, I am very happy to join my distinguished colleague from Montana in offering the amendment. As he has indicated, many States in the Rocky Mountain West have but one or two cities which would be eligible under title I as it is now written. But practically all of them have a number of centers of concentrated population, at least from our point of view, and they should be given the consideration which the Metcalf amendment would provide.

I also point out that some States in the East, such as Delaware, Vermont, New Hampshire, and Maine, are in the same category as the Rocky Mountain West; and we believe that the amendment would be just as good—just as valid—for them as it would be for us.

So I urge the Senate to join with the distinguished Senator from Montana [Mr. METCALF] in approving the amendment. I might also point out that I believe Nebraska would fall into the same category.

Mr. CURTIS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER (Mr. McIntyre in the chair). The Senator from Nebraska will state it.

Mr. CURTIS. If the pending amendment were adopted, would an amendment still be in order to strike from the bill, the grants to States and subdivisions?

The PRESIDING OFFICER. If the

amendment to strike were broader than the amendment offered by the junior Senator from Montana, that would be in order.

Mr. CURTIS. Mr. President, a further parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CURTIS. My understanding is that an amendment may be offered, which may be in the nature of a substitute, as to the manner in which these grants are provided. If such an amendment were offered and approved, would it still be in order to offer an amendment to strike from the bill all grants to States and subdivisions?

The PRESIDING OFFICER. It is extremely difficult to give the Senator from Nebraska a definite reply without understanding what he actually has in mind with respect to the substitute that he assumes might be adopted. But the same general idea is responsive to the Senator's inquiry: If the motion to strike or the amendment to substitute is broader in its nature, then it would appear to be in order.

Mr. METCALF. Mr. President, will the Senator yield so that I may direct another parliamentary inquiry along the same line as the Senator from Nebraska?

Mr. CURTIS. I yield.

Mr. METCALF. Mr. President, as shown by the hearings, there is going to be pending an amendment to take grants away from municipalities completely and give them only to the States. Would such an amendment be in order?

The PRESIDING OFFICER. The Parliamentarian informs the Chair that if the amendment offered is an amendment to perfect language in the bill not previously amended, it would be in order.

Mr. CURTIS. Mr. President, will the Chair please restate the ruling?

The PRESIDING OFFICER. If the proposal is drawn so that it would not attempt only to amend language of the bill already amended, it would be in order.

Mr. METCALF. It is not my intention to preclude the opportunity to any Senator to offer an amendment to make direct grants to the States instead of to municipalities. I would not want my amendment to foreclose the opportunity of anybody to offer such an amendment, although I do wish to announce that I would resist such an effort.

The PRESIDING OFFICER. For the benefit of the Senator from Nebraska and the junior Senator from Vermont, at the present time the entire bill is open to amendment. The suggestions and inquiries being made are so hypothetical in nature that it is difficult to give an answer. When we have before us definite language, I am sure that the Chair will be able to answer at that time.

Mr. CURTIS. Mr. President, I desire to speak on the bill.

Mr. McCLELLAN. Mr. President, I yield 3 minutes to the Senator.

Mr. CURTIS. Mr. President, I have grave doubts about the starting of a new Federal grant program. We cannot initiate a grant program for every project that is good. If we start making grants, either en bloc to the States or direct to the municipalities, there will be no end.

Back of the failure of law enforcement

is failure of morality. I think morality starts right here. As far as the Government is concerned I think it is necessary that we put our financial house in order and save the dollar from collapse.

I do not believe it has been shown that the Federal Government is in a better financial position to pay the cost of maintaining a police force than are the States and municipalities. I raise serious questions about it. I hope the managers of the bill will consider leaving this burden with the States and the localities.

Mr. McCLELLAN. Mr. President, are we now under a time limitation?

The PRESIDING OFFICER. There is no time limitation until after the vote on the treaties.

Mr. McCLELLAN. I thank the Presiding Officer.

Mr. President, with respect to this amendment, I am concerned about two things. Personally, I have no objection to it. I understand that in the State of Montana, and this situation may apply to three or four other States, possibly they have only one community or town of a population of 50,000 people or more. Is that correct?

Mr. METCALF. We have two.

Mr. McCLELLAN. I am sorry that I was not here when the Senator made his presentation. I did not know this amendment would be discussed at this hour this morning. I thought it was to come before the Senate after the vote on the treaties this afternoon. That is why I was not in the Chamber and did not hear the presentation of the Senator.

In any event, that situation may apply whether there is one or two municipalities or community centers, and that situation may apply to two or three other States.

Mr. METCALF. I imagine it would apply to many other States. For instance, Fargo is the only town in North Dakota.

Mr. McCLELLAN. Yes, I understand it may apply to other States.

Since this provision in the bill is part of the administration approach to the crime problem, as to title I providing grants to municipalities to help them in planning and also to activate those plans to strengthen law enforcement, unless the administration has objection to it, and I have not been advised it does have objection to the amendment, I would be glad to go along with the amendment because if this is to be the approach and if we are going to make this effort as provided in title I to have the Federal Government grant assistance and aid to localities in planning and activating those plans to strengthen law enforcement then, I do not think any community of any size should be omitted.

Certainly, in States where there are two or three cities that have populations in excess of 25,000 people, I think they should be permitted to participate unless by amendment they would not be able to participate unless the State plan was submitted.

I have no objection to the amendment, and I have had no suggestion from administration sources that it objects.

There is another aspect. There is to be offered an amendment. It is not my place necessarily to protect that side of the question, but I understand there is to be

offered an amendment known as the block-grant amendment, a substantial adoption of the House bill approach to the administration of this aid.

I do not know whether, if this amendment were adopted, it would have the parliamentary effect of precluding the offering of an overall amendment to restore block-grants or the adoption of the block-grant approach.

I do not want to take advantage of the absence of anyone but I do not want the record to appear that I agreed to something to preclude them from having that right.

Mr. METCALF. Mr. President, will the Senator yield?

Mr. McCLELLAN. I am glad to yield to the Senator from Montana. I would like to be assured in that respect.

Mr. METCALF. After I had completed my statement, a parliamentary inquiry was directed to the Presiding Officer. The junior Senator from Montana suggested that while he would oppose such a block-grant amendment he would not want to preclude the right of anyone to make the offer. We did not have a definitive decision from the Chair but I would not want to prevent anyone from offering such an amendment.

If this amendment is not adopted, in many States we have virtually block-grants because otherwise aid would go only to one or two communities.

Mr. McCLELLAN. I have tried to make my position clear that I am not opposing the amendment. The Senator from Nebraska [Mr. HRUSKA] offered such an amendment in committee. I did not support it. I understand that he is to offer one or expects to offer one in the Senate. I would not want, in effect, to agree, as a matter of procedure to accept an amendment that would preclude him from the right to offer his amendment.

Mr. MANSFIELD. Mr. President, this is only a minor change in title I. It would merely strike the figure "50,000" and insert "25,000." I am informed that this change would not preclude the offering of an amendment limiting the assistance under title I to block grants applicable to States only.

It is my belief that the administration has no opposition to the proposed changes to title I contained in the amendment offered by my distinguished colleague [Mr. METCALF]. I have no assurance that that is the case, but it is my strong belief that the administration has no objection to changing the figure from 50,000 to 25,000, which, incidentally, would apply not only to Montana but also to Wyoming, Idaho, Oregon, Utah, Nevada, New Mexico, Arizona, New Hampshire, Vermont, Maine, and very likely, I think, Nebraska. All those States would be eligible.

So the amendment would apply particularly to those States which are faced with unusual situations concerning the distribution of population.

Mr. McCLELLAN. In fact, it applies to every State in the Union, does it not?

Mr. MANSFIELD. And probably to Arkansas—yes.

Mr. McCLELLAN. Every State. But there are States which would get a minimum of protection from the amendment.

Mr. METCALF. The amendment benefits the Western States because of the distances involved; because of the distributions of their populations. It is more difficult for one or two communities there to get together for assistance when they are 150 miles apart than it is in some of the smaller Eastern States where population centers are more highly concentrated.

Mr. McCLELLAN. I understand that. Again, I am not opposing the amendment. I should like to have some assurance as to the parliamentary procedure. I do not think it would. The amendment would merely strike one number and insert another. I do not think that this would be a change in the block-grant amendment. I think the block-grant amendment would still be in order. I hope we may get a ruling from the Chair on it.

Therefore, Mr. President, I propound a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Arkansas will state it.

Mr. McCLELLAN. Would this amendment preclude a future block-grant amendment being offered?

Mr. MANSFIELD. No.

The PRESIDING OFFICER. The Chair would rule if there were a definition of the amendment.

Mr. McCLELLAN. I thought the amendment was going to be offered by the distinguished Senator from Nebraska, but I understand that the minority leader, the Senator from Illinois [Mr. DIRKSEN], has an amendment pending. May I ask the Senator from Illinois, for himself—as he is now in the Chamber—if he is willing to take the risk. If so, I do not see why I should be concerned about it. As I recall, he is the one who is offering the amendment.

Mr. DIRKSEN. I accept the risk.

Mr. McCLELLAN. The Senator from Illinois says he accepts the risk. I have nothing further to say, Mr. President.

The PRESIDING OFFICER. If the Senator from Arkansas and the junior Senator from Vermont are referring to amendment 715, it would be in order, because it is so much broader in scope than the particular amendment offered by the junior Senator from Montana.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the vote on the amendment by the Senator from Montana [Mr. METCALF] now take place and that the unanimous-consent order limiting time be abrogated.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

The question is on agreeing to the amendment offered by the junior Senator from Montana.

The amendment was agreed to.

Mr. MANSFIELD. Mr. President, I would note for the RECORD that the vote was unanimous.

Mr. President, I appeal to the Senate to get going on the safe streets and omnibus crime bill. It has been the pending business for almost 2 weeks. We have taken action on only one amendment so far, the Metcalf amendment.

I have in my hand about 40 or 50 other

amendments that have been sent to the desk for printing.

These amendments are to be offered by the distinguished Senator from Massachusetts [Mr. BROOKE], the distinguished Senator from West Virginia [Mr. BYRD], the distinguished minority leader, the distinguished Senator from Illinois [Mr. DIRKSEN], the distinguished Senator from Connecticut [Mr. DODD], the distinguished Senator from Hawaii [Mr. FONG] for himself and others, the distinguished Senator from Michigan [Mr. HART] and others, the distinguished Senator from Nebraska [Mr. HRUSKA], the distinguished Senator from New York [Mr. JAVITS], the distinguished Senator from Missouri [Mr. LONG] and others, the distinguished Senator from California [Mr. MURPHY], the distinguished Senator from Illinois [Mr. PERCY], the distinguished Senator from Maryland [Mr. TYDINGS], and I suppose some others.

I plead with Senators to call up some amendments so that we can get going. It is impossible at this time to get an agreement on a time limitation on the amendments and the bill as a whole. But it is possible and probable that time limitations may be obtained on amendments as they are offered. So, in the interest of good procedure and facing up to our responsibilities, I hope that Senators will call up these amendments and have them voted on.

I call to mind that we do have some important legislation piling up behind us. The appropriations bills will be out shortly. They are ahead of schedule. And if we are really interested in getting out on August 2, now is the time to come to the aid of your party.

HENRY GRIFFIN LEADS THE WAY

Mr. MANSFIELD. Mr. President, it was the privilege of the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN], and the distinguished dean of the Republican Party in the Senate the senior Senator from Vermont [Mr. AIKEN] to participate in a ceremony in the Capitol on Friday last.

On that occasion Mr. Henry Griffin, the well-known Associated Press photographer, who is the friend of all of us on both sides of the aisle, was given an award for his outstanding and exemplary service in bettering the cause of those of our fellow citizens who are afflicted with cancer of the throat.

By his example as well as his courage, patience, humor, and dignity, he has proved beyond doubt that those so afflicted can recover the use of their speech and fulfill all the obligations of the everyday American.

The film shown in which Henry and a number of his like-afflicted associates "starred" was well worth the attention, time, and detail which it set forth. By his inspiring example, Henry Griffin has proved himself to be a model to others in a like situation, and in his person he has shown the courage, the humility, and the understanding which has made his contribution to this particular affliction so worthwhile and so well known.

NOTICE OF CONFERENCE ON EMERGENCY SUPPLEMENTAL BILL

Mr. HOLLAND. Mr. President, I wish to give notice to the Senate, particularly to the Senate conferees on the second conference of the emergency supplemental bill, with which Senators are familiar, that we have set a conference for this coming Thursday afternoon, at 2 p.m. We are saving for both groups of conferees the time of 10 a.m. on Friday, the day following, and also 2 p.m.; so that we should be able to dispose of this rather troublesome matter.

Mr. President, I am making this announcement now because we have been delayed in our effort to get this conference. We had it set for 2 weeks ago today, and the distinguished Senator from New York [Mr. JAVITS] called from New York to say that he could not be present and asked that it be postponed. It was postponed. I have endeavored to set a time and date for the conference from that time until now. The chairman of the House committee, Representative Mahon, has done the same. He and some members of his conference committee have been tied up in the rather drawn-out and very technical matter of working out the tax situation and the reduction of expenditures, which have had to be worked out at the same time.

This coming Thursday is the first date on which we have been able to get together, and I do hope that all conferees can plan to be present for 2 o'clock on that day, because it is a difficult matter, and I do not want anybody to be able to say he has not had notice. We have given written notice, and we have called all offices last week about this date. But I want the RECORD to show that this is the situation, and we do hope that all Senate conferees will arrange to be present.

ORDER FOR ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 11 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum, the call to last no longer than 12:30 p.m.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BENNETT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session.

The PRESIDING OFFICER. Without objection, it is so ordered.

In accordance with the previous order, the Senate will now proceed to vote on the adoption of the resolution of ratification of Executive O, 90th Congress, first session, the Convention on the International Hydrographic Organization.

The yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. RUSSELL (when his name was called). I vote "present."

The rollcall was concluded.

Mr. BYRD of West Virginia. I announce that the Senator from Indiana [Mr. BAYH], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from South Carolina [Mr. HOLLINGS], the Senator from New York [Mr. KENNEDY], the Senator from Louisiana [Mr. LONG], the Senator from Washington [Mr. MAGNUSON], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Oklahoma [Mr. MONRONEY], the Senator from New Mexico [Mr. MONTOYA], the Senator from Oregon [Mr. MORSE], the Senator from Rhode Island [Mr. PELL], the Senator from Connecticut [Mr. RIBICOFF], and the Senator from Texas [Mr. YARBOROUGH] are necessarily absent.

I also announce that the Senator from Hawaii [Mr. INOUE], the Senator from Missouri [Mr. LONG], and the Senator from New Jersey [Mr. WILLIAMS] are absent on official business.

I further announce that, if present and voting, the Senator from Indiana [Mr. BAYH], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Hawaii [Mr. INOUE], the Senator from New York [Mr. KENNEDY], the Senator from Louisiana [Mr. LONG], the Senator from Washington [Mr. MAGNUSON], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Oklahoma [Mr. MONRONEY], the Senator from New Mexico [Mr. MONTOYA], the Senator from Oregon [Mr. MORSE], the Senator from Rhode Island [Mr. PELL], the Senator from Connecticut [Mr. RIBICOFF], the Senator from New Jersey [Mr. WILLIAMS], and the Senator from Texas [Mr. YARBOROUGH] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from Tennessee [Mr. BAKER], the Senator from New Hampshire [Mr. COTTON], the Senator from Colorado [Mr. DOMINICK], the Senator from Wyoming [Mr. HANSEN], the Senator from New York [Mr. JAVITS], the Senators from California [Mr. KUCHEL and Mr. MURPHY], and the Senator from Illinois [Mr. PERCY] are necessarily absent.

The Senator from New Jersey [Mr. CASE] is absent on official business.

The Senator from Kentucky [Mr. MORTON] is detained on official business.

If present and voting, the Senator from Tennessee [Mr. BAKER], the Senator from New Jersey [Mr. CASE], the Senator from New Hampshire [Mr. COTTON], the Senator from Colorado [Mr. DOMINICK], the Senator from Wyoming [Mr. HANSEN], the Senator from New York [Mr. JAVITS], the Senators from California [Mr. KUCHEL and Mr. MURPHY], the Senator from Kentucky [Mr. MORTON], and the Senator from Illinois [Mr. PERCY] would each vote "yea."

The yeas and nays resulted—yeas 73, nays 0, as follows:

[No. 127 Ex.]

YEAS—73

Aiken	Gore	Moss
Allott	Griffin	Mundt
Anderson	Gruening	Muskie
Bartlett	Harris	Nelson
Bennett	Hart	Pastore
Bible	Hartke	Pearson
Boggs	Hatfield	Prouty
Brewster	Hayden	Proxmire
Brooke	Hickenlooper	Randolph
Burdick	Hill	Scott
Byrd, Va.	Holland	Smathers
Byrd, W. Va.	Hruska	Smith
Cannon	Jackson	Sparkman
Carlson	Jordan, N.C.	Spong
Church	Jordan, Idaho	Stennis
Clark	Kennedy, Mass.	Symington
Cooper	Lausche	Talmadge
Curtis	Mansfield	Thurmond
Dirksen	McClellan	Tower
Dodd	McGee	Tydings
Eastland	McGovern	Williams, Del.
Ellender	McIntyre	Young, N. Dak.
Ervin	Metcalf	Young, Ohio
Fannin	Miller	
Fong	Mondale	

NAYS—0

ANSWERED "PRESENT"—1

Russell

NOT VOTING—26

Baker	Javits	Morse
Bayh	Kennedy, N.Y.	Morton
Case	Kuchel	Murphy
Cotton	Long, Mo.	Pell
Dominick	Long, La.	Percy
Fulbright	Magnuson	Ribicoff
Hansen	McCarthy	Williams, N.J.
Hollings	Monroney	Yarborough
Inouye	Montoya	

The PRESIDING OFFICER. On this vote, the yeas are 73, and the nays are 0. Two-thirds of the Senators present and voting having voted in the affirmative, the resolution of ratification is agreed to.

Mr. RUSSELL subsequently said: Mr. President, for the first time in my career, I avoided making a categorical yes or no vote on the Hydrographic Treaty by voting present.

I did this because I had not had an opportunity to study the hearings before the Committee on Foreign Relations and to understand the full import of the document. There is nothing contained in the report of the committee and copy of the treaty on my desk which will show the effect that this agreement will have on our defense posture or the full nature of the information which it is proposed to exchange with the other signatories.

Mr. President, we have expended and are now expending millions of dollars each year on hydrographic research. I have not secured data as to what the other signatories are doing in this area, but I would be surprised if our expenditures and research are not of a greater scope than that of all the other signatories combined.

At least three departments of our Government have very active programs dealing with this subject.

Hydrographic information is extremely important to our national defense. It bears heavily not only upon the operation of our submarines but upon the effectiveness of our efforts to defend against the undersea ships of any potential enemy. I consider the Polaris submarine system to be the most important single weapons system in our strategic arsenal. In fact, it is the only area where

I am perfectly sure that we have superiority over any potential enemy.

If I were sure that this treaty only related to exchanging information bearing on the surface operations of shipping, I would have been very happy to have supported it. But, Mr. President, I would be very loath indeed to commit this country to an exchange of all of the information we have gathered at great expense relating to undersea operations. I do not wish to commit this country to a position where we would be required to give such information to Communist countries or would subject ourselves to a charge of bad faith if we did not supply all that we have learned about the floors of the oceans and the operation of the tides.

Because I did not have full information as to the effect and import of this agreement, I voted present.

The PRESIDING OFFICER. The next question is on agreeing to the resolution of ratification of Executive C, 90th Congress, second session, the amendments to the International Convention for the Safety of Life at Sea. The yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Indiana [Mr. BAYH], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from South Carolina [Mr. HOLLINGS], the Senator from New York [Mr. KENNEDY], the Senator from Louisiana [Mr. LONG], the Senator from Washington [Mr. MAGNUSON], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Oklahoma [Mr. MONRONEY], the Senator from New Mexico [Mr. MONTOYA], the Senator from Oregon [Mr. MORSE], the Senator from Rhode Island [Mr. PELL], the Senator from Connecticut [Mr. RIBICOFF], and the Senator from Texas [Mr. YARBOROUGH] are necessarily absent.

I also announce that the Senator from Hawaii [Mr. INOUYE], the Senator from Missouri [Mr. LONG], and the Senator from New Jersey [Mr. WILLIAMS] are absent on official business.

I further announce that, if present and voting, the Senator from Indiana [Mr. BAYH], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Hawaii [Mr. INOUYE], the Senator from New York [Mr. KENNEDY], the Senator from Louisiana [Mr. LONG], the Senator from Washington [Mr. MAGNUSON], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Oklahoma [Mr. MONRONEY], the Senator from New Mexico [Mr. MONTOYA], the Senator from Oregon [Mr. MORSE], the Senator from Rhode Island [Mr. PELL], the Senator from Connecticut [Mr. RIBICOFF], the Senator from New Jersey [Mr. WILLIAMS] and the Senator from Texas [Mr. YARBOROUGH] would each vote yea."

Mr. DIRKSEN. I announce that the Senator from Tennessee [Mr. BAKER], the Senator from New Hampshire [Mr. COTTON], the Senator from Colorado [Mr. DOMINICK], the Senator from Wyoming [Mr. HANSEN], the Senator from New York [Mr. JAVITS], the Senators from California [Mr. KUCHEL and

Mr. MURPHY], and the Senator from Illinois [Mr. PERCY] are necessarily absent.

The Senator from New Jersey [Mr. CASE] is absent on official business.

The Senator from Kentucky [Mr. MORTON] is detained on official business.

If present and voting, the Senator from Tennessee [Mr. BAKER], the Senator from New Jersey [Mr. CASE], the Senator from New Hampshire [Mr. COTTON], the Senator from Colorado [Mr. DOMINICK], the Senator from Wyoming [Mr. HANSEN], the Senator from New York [Mr. JAVITS], the Senators from California [Mr. KUCHEL and Mr. MURPHY], the Senator from Kentucky [Mr. MORTON], and the Senator from Illinois [Mr. PERCY] would each vote "yea."

The yeas and nays resulted—yeas 74, nays 0, as follows:

[No. 128 Ex.]

YEAS—74

Aiken	Gore	Moss
Allott	Griffin	Mundt
Anderson	Gruening	Muskie
Bartlett	Harris	Nelson
Bennett	Hart	Pastore
Bible	Hartke	Pearson
Boggs	Hatfield	Protsy
Brewster	Hayden	Proxmire
Brooke	Hickenlooper	Randolph
Burdick	Hill	Russell
Byrd, Va.	Holland	Scott
Byrd, W. Va.	Hruska	Smathers
Cannon	Jackson	Smith
Carlson	Jordan, N.C.	Sparkman
Church	Jordan, Idaho	Spong
Clark	Kennedy, Mass.	Stennis
Cooper	Lausche	Symington
Curtis	Mansfield	Talmadge
Dirksen	McClellan	Thurmond
Dodd	McGee	Tower
Eastland	McGovern	Tydings
Ellender	McIntyre	Williams, Del.
Ervin	Metcalf	Young, N. Dak.
Fannin	Miller	Young, Ohio
Fong	Mondale	

NAYS—0

NOT VOTING—26

Baker	Javits	Montoya
Bayh	Yarborough	Morse
Case	Kennedy, N.Y.	Morton
Cotton	Kuchel	Murphy
Dominick	Long, Mo.	Pell
Fulbright	Long, La.	Percy
Hansen	Magnuson	Ribicoff
Hollings	McCarthy	Williams, N.J.
Inouye	Monroney	Yarborough

The PRESIDING OFFICER. On this vote the yeas are 74, and the nays are 0. Two-thirds of the Senators present and voting having voted in the affirmative, the resolution of ratification is agreed to.

DEPARTMENT OF STATE

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 301, on the Executive Calendar.

The PRESIDING OFFICER. Without objection, the clerk will report the nomination.

The assistant legislative clerk read the nomination of G. Mennen Williams, of Michigan, to be Ambassador to the Philippines.

Mr. GRIFFIN. Mr. President, I am glad to indicate my support for the appointment of former Gov. G. Mennen Williams as our Ambassador to the Philippines.

Governor Williams is a rather energetic individual—as I have good reason

to know. If he brings to this new position even a fraction of the energy he has directed against my party in Michigan over the years, I have no doubt that he will be a very active spokesman for our country in the Philippines.

I hope no one will read any hidden meaning into this statement—but I am happy to wish him a busy, fruitful, and a long tour of duty on the other side of the world.

Mr. President, Governor Williams has had a long and a distinguished career of public service extending over more than 30 years. He became an attorney for the Social Security Board in 1936. Later, he helped to organize the Office of Price Administration in Washington, and served in the Navy during World War II.

After the end of World War II, he turned his attention to Michigan affairs and proceeded to set a record in our State by serving six consecutive terms as Governor. In 1961, he became Assistant Secretary of State for African Affairs; and during his tenure in that office he visited every corner of the vast, restless continent of Africa.

Mr. President, I believe that the United States-Philippine relations can benefit from Mr. Williams' long experience in public affairs, and I am confident that he will serve with credit to our Nation in his new post.

Mr. HART. Mr. President, the nomination by the President of G. Mennen Williams to be Ambassador to the Philippines is applauded by all of us from Michigan, and our confirmation of this appointment will honor a distinguished American.

Ambassador Williams' public service spans a period of 30 years, beginning in the Department of Justice under Attorney General Frank Murphy.

It includes 5 years in Navy Air Intelligence, followed in 1948 by an amazing 12 years as Governor of Michigan for six consecutive terms.

As Assistant Secretary of State for Africa, Ambassador Williams served Presidents Kennedy and Johnson during a period of great growth in the continent. The number of countries with which we have diplomatic relations rose from 26, at the time Ambassador Williams assumed responsibility for Africa, to 36 when he resigned in 1966. With this background in State and Federal Government, I know Mr. Williams will bring new and fresh insights to the challenging assignment he is assuming in Manila.

He is one whose ideals, enthusiasm, understanding, and devotion to the democratic process will endear him to the Philippine people, just as he won the hearts and support of the people of Michigan. Having been a member of his State administration, I am indeed proud to support this confirmation.

The PRESIDING OFFICER. The question is, will the Senate advise and consent to this nomination?

The nomination was confirmed.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of the nomination.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. Presi-

dent, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 299, on the Executive Calendar.

The PRESIDING OFFICER. Without objection, the clerk will report the nomination.

The assistant legislative clerk read the nomination of George W. Ball, of New York, to be the Representative of the United States to the United Nations with the rank and status of Ambassador Extraordinary and Plenipotentiary, and the Representative of the United States of America in the Security Council of the United Nations.

Mr. THURMOND. Mr. President, in case there is no rollcall vote, I would like the record to show that I am opposed to the confirmation of George W. Ball as U.S. Ambassador to the United Nations. After much careful study of the record, I have reluctantly come to the conclusion that Mr. Ball, whatever his attainments, experience, and political expertise, is not a man in whom the Congress of the United States can repose confidence.

The basis of my objection is Mr. Ball's performance in the case of Otto Otepka. My colleagues will remember that in the course of the Senate Internal Security Subcommittee's investigation into State Department security, Mr. Otepka was fired by the Secretary of State for telling the truth to the subcommittee. Meanwhile, in July and August of 1963, three officers of the State Department, John F. Reilly, David I. Belisle, and Elmer Dewey Hill, appeared before the Senate Internal Security Subcommittee and gave statements which subsequently were shown to be false.

At this time, Mr. Ball was No. 2 man in the Department, as Under Secretary of State. After the Secretary of State, Mr. Ball was responsible for the internal affairs of the Department. In October 1963, Senator DODD, acting for the subcommittee, personally delivered a 10-page memorandum to the Secretary setting forth the subcommittee's intention to prove that the three officers had lied. Subsequently testimony before the subcommittee shows that the Secretary assigned the problem to Mr. Ball. Although Mr. Rusk holds the ultimate responsibility, it was Mr. Ball who was responsible for getting the job done.

As the weeks passed, the State Department indicated nothing to the subcommittee that action was being taken. Then, on November 5, 1963, Mr. Otepka was fired. The truth teller was fired, while those who gave false witness were kept on. On the afternoon of November 5, Senator DODD and I engaged in colloquy on this floor. In response to my inquiry, Senator DODD indicated that prosecution for perjury was a distinct possibility. On the day after this threat of perjury prosecution was raised, the subcommittee received letters from the three witnesses. These letters allegedly "amplified" their previous testimony. In point of fact, the letters constituted a retraction. Earlier, the witnesses had denied any knowledge of wiretapping operations at the State Department; now they admitted that they did, indeed, have knowledge.

The letters of amplification were ad-

mitted into the record under oath. Unfortunately, the letters were deficient in a material point, the very point under investigation. When called in for questioning about the letters, at least one of the witnesses brazenly continued to falsify his testimony.

Thus, we have a situation in which three witnesses knowingly falsified their testimony; they submitted retractions which were further falsifications; and the falsification continued in further testimony. This is a situation which is rife with double and triple perjury.

As I have pointed out, Mr. Ball was the responsible executive in this matter. He appointed a one-man task force, Mr. Thomas Ehrlich, from the Office of Legal Adviser, to examine the situation and report directly to him. When perjury was threatened on the Senate floor, Mr. Ehrlich, acting specifically under Mr. Ball's orders, called the three into his office at 9 p.m. on the night of November 5. The letters of amplification were prepared and brought directly to Mr. Ball. Mr. Ball personally hand-carried them to the Secretary, who—according to Mr. Ehrlich's testimony—glanced at them and indicated approval before they were sent to the subcommittee on the 6th.

I find it difficult to believe that a person of Mr. Ball's stature would deliberately authorize falsification. Yet the letters were subsequently found to be falsifications. It was Mr. Ball's responsibility to find out the facts in this situation. If he did not know the facts, he was derelict in a grave matter. Here were charges about to be made by a Senate committee. The press had already carried the implications past the Secretary of State, even to the President himself. If Mr. Ball did not know the facts, he was not doing his duty. If he did know the facts, then he was permitting his employees to lie to the Congress of the United States.

Another cloud was cast by the fact that no disciplinary action has been taken against the three false witnesses even today. Two were allowed to resign without prejudice, when the evidence of their guilt became inescapable, and the third was transferred to an overseas State Department job. Presuming that Mr. Ball had come to the conclusion that the three had not told the whole truth the first time, it seems to me that the proper course would have been to fire them immediately for attempting to mislead Congress. Instead, Mr. Otepka, who told Congress the truth, was fired, and Mr. Ball attempted to get the three false witnesses off the hook by having them supplement their testimony.

Mr. President, I submit that this is not the course of action that would be followed by a man who is interested in being straightforward with the Congress. The effect of these actions is to condone falsehood. These men lied, and he did not fire them. He helped them prepare retractions that were rationalized as "amplifications." These letters again contained lies. Mr. Ball either knew this or he did not; but at no step did he take disciplinary action. Mr. Ball had the responsibility to see that these men were

telling the truth, and he failed. When the truth came out, he failed to take action against the false witnesses.

This is the case in brief. I intend, before I am finished, to have a few words to say about Mr. Ball's responsibilities in 1968, with especial regard to his testimony a week ago Friday before the Senate Foreign Relations Committee. But first I think it is necessary to examine closely the question of perjury in the testimony of the three witnesses. The gravity of the problem must be quite clear, and I want no doubt in anyone's mind of the nature of the falsehoods.

This is especially important, because neither the Department of State nor the Department of Justice has pressed vigorously for perjury indictments. The first round of testimony occurred on July 9, July 29, and August 6, 1963. Within a few weeks, the 5-year statute of limitations will have run out. Perhaps the Attorney General has not had time to examine this testimony in detail. However, I have taken the time, and I shall presently set forth excerpts from the testimony of the three which show the most blatant contradictions. I am asking the Attorney General to examine these excerpts, and to examine them in context, and to see if he cannot bring perjury charges before time runs out.

The story begins on November 5, 1963, when Senator DODD and I discussed the Otepka case on this floor. The Senator from Connecticut had just pointed out that Mr. Otepka had been fired that very day for telling the truth to a congressional committee. At that point I made the following inquiry, and I quote:

If Mr. Otepka had not told the truth to the Subcommittee on Internal Security of the Committee on the Judiciary, would he not then have been guilty of perjury?

The Senator from Connecticut answered:

Of course. Our witnesses have been under oath. I pointed out earlier . . . that we know the Department of State tapped Mr. Otepka's telephone, but an employee of the Department of State came to our Subcommittee, and, under oath, said that the telephone had not been tapped—which is an untruth. That is the man who ought to be subject to charges. When employees of the Government come before a Congressional committee and either make willful misstatements or tell untruths under oath I believe that dismissal charges should be preferred against them. But up to the present hour, the man who has been dismissed is the man who told the truth, and so far as I know, the man who told the untruth has not been moved against.

Thus far, Senator DODD. At this point, I asked:

Does the committee have any plans to cite for perjury the man to whom the Senator referred?

Mr. DODD replied:

I have not asked any questions about that. As I said, I asked for an emergency meeting of the Judiciary Committee so that all the implications of the situation might be fully explored and the committee might make a decision with respect to what it should do, how it should advise the Senate, and what it should report to the Senate.

Mr. President, I remind you that this exchange occurred on November 5, 1963. Accounts of this colloquy appeared in the press, and they triggered a reaction by

the State Department. On November 6, three letters were mailed to the subcommittee by, respectively, David I. Belisle, John F. Reilly, and Elmer Dewey Hill. Each contained a retraction, or as they quaintly put it, an "amplification" of earlier testimony.

The statements of November 6 were directly initiated by Mr. Ball, as is evident by the testimony of Thomas Ehrlich, of the State Department Office of Legal Adviser, on November 14, 1963. Mr. Ehrlich had called the three witnesses together on the night of November 5. The subcommittee counsel and Mr. Ehrlich engaged in the following exchange:

Mr. SOURWINE. They all came together in response to your call. Had you received instructions from the Secretary with respect to calling them and having letters of this nature prepared?

Mr. EHRLICH. I had received a request not directly from the Secretary, but through Mr. Ball, that I understood Mr. Ball had discussed the matter with the Secretary.

Mr. SOURWINE. You got this personally from Mr. Ball?

Mr. EHRLICH. Yes.

Mr. SOURWINE. By telephone or face to face?

Mr. EHRLICH. In person.

Mr. SOURWINE. Face to face. You were called to his office, were you?

Mr. EHRLICH. Yes.

Later, the subcommittee counsel asked:

Now on the occasion that you first talked with Mr. Ball about having such letters written, did you and he part with the understanding that he would check with the Secretary, or clear with the Secretary on it, or talk with the Secretary about it, and let you know the Secretary's views?

Mr. EHRLICH. On this day when Mr. Ball asked me to convey this to Mr. Reilly, Mr. Hill, and Mr. Belisle, I can't honestly say that he specifically said he had talked to the Secretary before or afterward. I must say it is my impression that he talked with the Secretary at one point before or after.

Mr. SOURWINE. Now I am asking whether, on that occasion, when you first discussed that with Mr. Ball, you and he parted with the understanding that he was going to take it up in some way with the Secretary and let you know later what the order would be.

Mr. EHRLICH. I know it was discussed in my presence with the Secretary.

Mr. SOURWINE. By Mr. Ball?

Mr. EHRLICH. By Mr. Ball and—

Mr. SOURWINE. Did you participate in that discussion?

Mr. EHRLICH. The most accurate answer I can give is: To the best of my recollection, there was a conversation with the Secretary and Mr. Ball concerning this subject.

Mr. SOURWINE. And did the Secretary then, to you or to Mr. Ball in your presence, indicate that he favored the writing of such statements, or that he wished to see this done?

Mr. EHRLICH. That he did wish to see statements prepared.

Mr. President (Mr. McINTYRE in the chair), Mr. Ball's part in this affair continued throughout execution of the project. According to the testimony, the Secretary may not even have read through the so-called amplifying statements, but he may have accepted them on Mr. Ball's say-so. I quote:

Mr. SOURWINE. I have just one more question. Was a copy of each of these letters, or

of any one of them, furnished to the Secretary of State or sent to his office?

Mr. EHRLICH. I know he saw them. I don't think he read them. In other words, he saw the papers. I don't think he read them over, before they came to the Committee.

Mr. SOURWINE. Did he see them after they were signed or before?

Mr. EHRLICH. After they were signed.

Mr. SOURWINE. After they had been signed. How did he see them? Did you show them to him?

Mr. EHRLICH. No. I believe Mr. Ball did.

Mr. SOURWINE. Mr. Ball took them to the Secretary?

Mr. EHRLICH. Yes.

Mr. SOURWINE. Did he look at them?

Mr. EHRLICH. He glanced at them. I don't think he read them carefully.

Mr. SOURWINE. Did he look at them one by one or did he just look at the top one?

Mr. EHRLICH. I honestly don't remember other than it is my best recollection that he did not at least read one through carefully.

Mr. SOURWINE. But you do know that Mr. Ball handed them to him?

Mr. EHRLICH. Yes.

Mr. SOURWINE. He had them in his hand and he was told what they were, is that right?

Mr. EHRLICH. Yes.

Mr. SOURWINE. He knew what they were?

Mr. EHRLICH. Yes.

Mr. SOURWINE. And then he handed them back. What did he say?

Mr. EHRLICH. I don't remember that he said anything.

Mr. SOURWINE. Well, did he indicate that it was all right, go ahead, send the letters?

Mr. EHRLICH. Yes.

That concludes the history of how the "amplifying letters" came to be sent.

I should like to point out at this time the precise misstatements in the testimony of the three witnesses, misstatements which, in my judgment, ought to be closely examined for perjury.

I ask unanimous consent to have printed in the RECORD excerpts from the testimony of David I. Belisle, on July 29, 1963, from his letter of November 6, 1963, and from his subsequent testimony on November 14, 1963, designated insert "A."

There being no objection, insert A was ordered to be printed in the RECORD, as follows:

INSERT A

EXCERPT FROM TESTIMONY OF DAVID I. BELISLE, JULY 29, 1963

Mr. SOURWINE. Do you have any information with respect to the tapping of the telephone of Mr. Otto Otepka, the Chief of the Division of Evaluations of the Department of State?

Mr. BELISLE. No, sir.

Mr. SOURWINE. Do you know whether this was done?

Mr. BELISLE. No, I do not.

Mr. SOURWINE. Did you have anything to do with the placing of a listening device in Mr. Otepka's office?

Mr. BELISLE. I did not, sir.

Mr. SOURWINE. Do you know if this was done?

Mr. BELISLE. I do not.

EXCERPT FROM LETTER OF DAVID I. BELISLE, NOVEMBER 6, 1963

After review of my testimony, I would like to amplify my responses to Mr. Sourwine's questions by stating that Mr. Reilly mentioned to me the events which I understand he has described to you in a separate letter, and accompanying enclosure. He mentioned these events to me, however, only after the events occurred.

EXCERPT FROM TESTIMONY OF DAVID I. BELISLE, NOVEMBER 14, 1963

Senator HRUSKA. Let me ask you this question: Did you on July 29, 1963, have any information with respect to the tapping of the telephone of Mr. Otto Otepka, the Chief of the Division of Evaluations of the Department of State?

Mr. BELISLE. I had no firsthand information, sir. I had information—

Senator HRUSKA. What information did you have at that time?

Mr. BELISLE. I had information that was told to me by Mr. Reilly that they tried to do it and that fizzled. (Page 836.)

The CHAIRMAN. But you did have information, didn't you?

Mr. BELISLE. I had information which in my judgment was hearsay.

The CHAIRMAN. Of course you had information. Come on, now. You did have information, didn't you?

Mr. BELISLE. Hearsay information.

The CHAIRMAN. All right. You had it.

Mr. BELISLE. Hearsay.

The CHAIRMAN. And you told this committee you didn't have.

Mr. BELISLE. I gave you the reason why I told you. (Page 837.)

Senator HRUSKA. And did you know if this was done? My question then is this: Did you know on July 29, 1963, that a listening device had been placed in Mr. Otepka's office?

Mr. BELISLE. As I say again, Senator, I had no firsthand knowledge and that is why I answered—

Senator HRUSKA. Had you been told at that time that a listening device had been placed?

Mr. BELISLE. No. I had been told that they had tried it and it didn't work, and a listening—

Senator HRUSKA. Who told you?

Mr. BELISLE. A listening device, no.

Senator HRUSKA. Who told you?

Mr. BELISLE. Mr. Reilly. (Page 838.)

Mr. BELISLE. Listen, I apologized to the committee. I apologized to the State Department for all of the newspaper publicity. I apologized to my family and everything else. But—

The CHAIRMAN. Why do you apologize? (Page 849.)

Mr. BELISLE. Well, I apologize for getting them, getting all the publicity and I apologized to the committee for—

The CHAIRMAN. Wasn't it because you didn't tell the truth to this committee? Wasn't that the reason?

Mr. BELISLE. I apologized to them for having—to you people for thinking that I misled you, to the State Department for getting bad publicity as a result of my testimony, and to my family also. (Page 850.)

Senator DODD. Mr. Belisle, suppose you were asked a similar question here today. Would you answer the question put to you by Mr. Sourwine on July 29, in the same way that you answered it that day?

Mr. BELISLE. You mean after everything has transpired, Senator?

Senator DODD. Yes.

Mr. BELISLE. I suppose after everything has transpired I probably would say I have no firsthand information with respect to this. (Page 852.)

Mr. BELISLE. I had nothing to do with the wiretap, sir. I don't know why the wiretap. Senator DODD. Well, I think you told us that it fizzled and that is why it—

Mr. BELISLE. That is right, sir. (Page 854.)

Mr. SOURWINE. Well, you did discuss this particular investigative instrument, as you put it, with Mr. Reilly in connection with the surveillance of Mr. Otepka before you left for Costa Rica.

Mr. BELISLE. I discussed with Mr. Reilly the

various investigative techniques that could be used in an investigation of this type and as to what we were looking for and how we would go about getting it.

We discussed the fact that we could—there was a possibility that you could bug his telephone and you could bug his room. (Page 832.)

Mr. THURMOND. Mr. President, these excerpts show that Mr. Belisle denied having "any" information with respect to the tapping of Mr. Otepka's telephone. The word "any" is a universal term; it excludes nothing from its range. In his letter, Mr. Belisle admitted that he did indeed have some information. Mr. Reilly had "mentioned" the events to him. Mr. Belisle had been out of the country when the events occurred, and thus did not participate directly in the plot. In his subsequent testimony he admitted that he had what he called "hearsay information" that the wiretap attempt fizzled. Moreover, he participated in the initial discussions about tapping Mr. Otepka's phone. When a witness, under oath, changes his testimony from "no" to "yes," and admits that he did so to withhold information he had all along, I believe it is clear that he not only deceived, but intended to deceive.

I ask unanimous consent to have printed in the RECORD excerpts from the testimony of John F. Reilly on August 6, 1963, from his letter of November 6, 1963, and from his testimony of November 15, 1963, designated insert "B."

There being no objection, insert B was ordered to be printed in the RECORD, as follows:

INSERT B

EXCERPT FROM TESTIMONY OF JOHN F. REILLY ON AUGUST 6, 1963

Mr. SOURWINE. Then let me start fresh. Have you ever engaged in or ordered the bugging or tapping or otherwise compromising telephones or private conversations in the office of an employee of the State Department?

Mr. REILLY. No, sir.

Mr. SOURWINE. You never did?

Mr. REILLY. That is right, sir.

Mr. SOURWINE. Specifically in the case of Mr. Otepka you did not do so?

Mr. REILLY. That is correct, sir.

Mr. SOURWINE. Did you tell Jerome Schneider to install an electrical device to compromise Mr. Otepka's telephone?

Mr. REILLY. No, sir.

Mr. SOURWINE. So that audible conversations in his office could be heard whether or not that phone was on the hook?

Mr. REILLY. No, sir.

Mr. SOURWINE. Did you know this had been done?

Mr. REILLY. No, sir.

Mr. SOURWINE. Can you say it was not done?

Mr. REILLY. That I cannot say, sir.

Senator HRUSKA. Is that within the order from Mr. Crockett?

Mr. REILLY. No, no. His questions have already made it clear that I cannot—I don't know.

Senator HRUSKA. It is on your own?

Mr. REILLY. Yes.

Senator HRUSKA. Your own lack of information?

Mr. SOURWINE. When I say "tell Jerome Schneider" I would like to have that include tell somebody to tell him. Did you give an order to have this done?

Mr. REILLY. No, sir.

Now let's see if we can get back to Mr. Otepka's case. Have any listening devices been installed in his office?

Mr. REILLY. No, sir.

Mr. SOURWINE. Have any devices or contrivances been installed in or connected with his telephone wires or with a box outside his office so as to activate his telephone so as to make it in a sense a permanent receiving microphone?

Mr. REILLY. No, sir.

Mr. SOURWINE. You are familiar with this technique. You know what I am talking about?

Mr. REILLY. Yes, I do, sir.

Mr. SOURWINE. And it has not been used in Mr. Otepka's case?

Mr. REILLY. No, sir.

Mr. SOURWINE. Mr. Chairman, you have a clear issue here on which we will have to take the testimony of other State Department employees. I have no more questions of Mr. Reilly at this time, sir. It is 3 minutes of 12.

Senator HRUSKA. Very well, sir.

EXCERPT FROM LETTER OF JOHN F. REILLY, NOVEMBER 6, 1963

On March 19, Mr. Hill told me that he and Mr. Clarence J. Schneider had discussed the means by which conversations in Mr. Otepka's office might be intercepted and had conducted a feasibility survey by connecting spare telephone wires from the telephone in Mr. Otepka's office to the Division of Technical Services laboratory. Mr. Hill told me that the system attempted had not proven successful when he and Mr. Schneider had tested it and that they were uncertain whether it could be made to work. I made it clear to Mr. Hill that I did not wish any conversations to be intercepted at that time.

No conversations were intercepted as a result of the events described above. Other than these events, I know of nothing which could have given rise to the belief that Mr. Otepka's office was being "bugged" or that his telephone was being "tapped." I understand, however, that about the same time that the events described above took place, Mr. Otepka asked Mr. Stanley Holden, of the Division of Domestic Operations to examine his telephone system. I also understand that Mr. Holden did examine Mr. Otepka's telephone system but found no evidence that Mr. Otepka's office was "bugged" or that his telephone was "tapped."

EXCERPT FROM TESTIMONY OF JOHN F. REILLY, NOVEMBER 15, 1963

Mr. SOURWINE. Mr. Reilly, let me read you this question: "Have you ever engaged in or ordered the bugging or tapping or otherwise compromising telephones or private conversations in the office of an employee of the State Department?"

And you replied, "No, sir."

And I said, "You never did?"

And you said, "That is right."

Senator McCLELLAN. What page is that?

Mr. SOURWINE. I am reading from page 9 of our print, Senator.

Mr. REILLY. As I understood then, and now understand the question, I was being asked whether I had undertaken actually to intercept and compromise conversations, whether they be room or telephonic conversations. This had not been achieved. And it has not been achieved today.

Mr. SOURWINE. You have already contradicted right there.

The CHAIRMAN. Now wait a minute.

Have you ever engaged in or ordered?

Mr. REILLY. First, I did not engage in. And I don't mean that as a weasel word. The questioning that day—I think Mr. Sourwine will recall—

The CHAIRMAN. Had you ordered it?

Mr. REILLY. I did not order. And we did not compromise. That is my—I took the question as a whole, Senator.

The CHAIRMAN. Just what did you do?

Mr. REILLY. Well, I did ask Mr. Hill if he would undertake to find out if there was some feasible way, short of putting a device in Mr. Otepka's office. (Page 874.)

Mr. SOURWINE. You mean you authorized the putting on of the tap or the device—you don't compromise the telephone until you tell somebody to use it?

Mr. REILLY. As I understand, the darned thing didn't work. (Page 876.)

Mr. REILLY. No. What I said, sir, and what I stand on, is that I had not authorized it. I merely wanted to find out if it were possible to do some system like this. I would then, at some later time, decide or not decide. (Page 876.)

Senator McCLELLAN. Why don't you just come clean and tell the whole story? Why don't you do that?

Anybody reading this record knows people, in your position, that you didn't give truthful answers to the questions that were asked you. Everybody knows that. Why don't you come clean here and just shell down the corn, and state what you were after, and what you did to try to get it? (Page 877.)

Mr. REILLY. What I am saying is that the experiment tried fizzled, and at that point I received, via the burn bag, seven sheets of carbon paper which contained questions for Reilly, and these questions were asked me during the course of my testimony here. (Page 877.)

Mr. SOURWINE. You now take the position this was not installing a device.

Did you know when I talked to you on August 6, the committee was here, and these questions were asked, what we were trying to get at?

Mr. REILLY. May I tell you what I thought you were trying to get at, and still think you were trying to get at?

Mr. SOURWINE. Yes.

Mr. REILLY. That Mr. Otepka's conversations were in fact being compromised. And they were not. (Page 880.)

Mr. REILLY. Mr. Schneider did a simple thing. He moved a wire.

Mr. SOURWINE. All right. That is what he did. But the result of that was to transform that ordinary telephone mouthpiece receiver into a listening device, isn't that correct?

Mr. REILLY. If the thing had been—well, obviously it didn't because the thing fizzled. (Page 880.)

Mr. SOURWINE. I see.

Now, can you state from your own knowledge that nobody ever heard any words over that listening device that you caused to be installed in Mr. Otepka's telephone?

Mr. REILLY. To my knowledge, no one did. (Page 882.)

Mr. REILLY. I thought that the committee felt that Mr. Otepka's telephone and his room conversations were being compromised. I wanted to make it clear—

Senator McCLELLAN. All right. They wanted to get the truth.

Now, you didn't tell them the truth, did you? You did not tell the committee the truth the day you testified when you gave those answers, did you? Honestly—just lay it on the record. Did you? I want to know if you will contend now that you told the truth then.

Mr. REILLY. I answered those questions truthfully; yes, sir.

Senator McCLELLAN. Did you tell the committee the truth that day—the whole truth and nothing but the truth, as you took an oath to do?

Mr. REILLY. As I said, sir, I considered the question in the nature of cross-examination. I answered the questions as I understood them. I did not volunteer anything beyond that.

To the extent that that—

The CHAIRMAN. You didn't give all the information you had. That is what you are saying.

Mr. REILLY. Nor did I think that it was required by the questions asked me, Mr. Chairman. (Page 889.)

Mr. THURMOND. Mr. President, Mr. Reilly's case is as clear as could be:

Question: Did you ever engage in or order tapping telephones? Answer: No Sir. Question: You never did? Answer: That is right, Sir.

As a matter of fact, he did order the tapping of Mr. Otepka's telephone. In his letter of November 6, he admitted that he had ordered a "feasibility survey by connecting spare telephone wires from the telephone in Mr. Otepka's office to the Division of Technical Services Laboratory." Further on, he states emphatically that "no conversations were intercepted as a result of the events described above."

The point of the "feasibility survey," as Mr. Reilly called it, is that the telephone was tapped. The emphatic denial of August 6 is again turned around 180 degrees. The attempts at qualification of the response indicates the earlier attempt to deceive. On November 15, Mr. Reilly attempted to maintain the fiction that a telephone is not tapped when a tap is applied and not used. After several questions on this point, Mr. Reilly said flatly that Mr. Otepka's telephone conversations were not being compromised.

Mr. Reilly's statements of November 15 were clearly contradicted by Mr. Elmer Dewey Hill on November 18. Mr. Hill's testimony was that the tap succeeded, that conversations were monitored, and recorded. Moreover, one conversation in particular was singled out for attention because it indicated that Mr. Otepka was arranging a luncheon date with a staff member of the Internal Security Subcommittee.

I submit that Mr. Reilly's testimony constitutes perjury on three counts, and is a blatant attempt to deceive Congress.

At this point I ask unanimous consent to have printed in the RECORD excerpts from the testimony of Elmer Dewey Hill, on July 9, 1963, from his letter of November 6, 1963, and from his testimony of November 15, 1963, designated insert "C."

There being no objection, insert C was ordered to be printed in the RECORD, as follows:

INSERT C

EXCERPT FROM TESTIMONY OF ELMER DEWEY HILL, JULY 9, 1963

(Pp. 1105, 1106, 1107, and 1108 of the transcript)

Mr. SOURWINE. Do you know of any single instance in which the Department has ever listened in on the telephone of an employee? I am talking about his office telephone—the telephone that does not belong to him; it belongs to the State Department. Do you know of any instance where that has been done?

Mr. HILL. I cannot recall such an instance.

Mr. SOURWINE. Do you know of any instance where a listening device has been placed in an employee's office?

Mr. HILL. Not to my knowledge.

Mr. SOURWINE. Are these not normal security measures which in proper circumstances would be indicated and would be taken?

Mr. HILL. I have never engaged in this—in that type of security measure.

Mr. SOURWINE. But you say your division has never done it, has never been called upon?

Mr. HILL. We have never been called upon; no, sir.

Mr. SOURWINE. Specifically, did you ever have anything to do with tapping the telephone of Mr. Otepka, the Chief of the Division of Evaluations in the Office of Security?

Mr. HILL. No, sir.

Mr. SOURWINE. You had no knowledge of it, if it was done?

Mr. HILL. No, sir.

Mr. SOURWINE. Did you ever have anything to do with placing a listening device in Mr. Otepka's office?

Mr. HILL. No, sir.

Mr. SOURWINE. Did you have any knowledge of it, if it was done?

Mr. HILL. No, sir.

EXCERPT FROM LETTER OF ELMER DEWEY HILL, NOVEMBER 6, 1963

We agreed on the approach to be used—modifying the wiring of Mr. Otepka's telephone instrument—and decided to return that evening to try the approach.

That evening Mr. Schneider and I altered the existing wiring in the telephone in Mr. Otepka's office. We then established a circuit from Mr. Otepka's office to the Division of Technical Services Laboratory by making additional connections in the existing telephone system wiring.

Mr. Schneider and I tested the system and found we would be unable to overhear conversations in Mr. Otepka's office, except actual telephone conversations, because electrical interference produced a loud buzzing sound.

EXCERPT FROM TESTIMONY OF ELMER DEWEY HILL, JULY 9, 1963

You do not know whether the Office of Security has authority to do this?

Mr. HILL. I personally have not ever been requested to do such a thing.

EXCERPT FROM LETTER OF ELMER DEWEY HILL, NOVEMBER 6, 1963

On Monday, March 18, 1963, Mr. John F. Reilly, Deputy Assistant Secretary for Security, asked me to explore the possibility of arranging some way to eavesdrop on conversations taking place in Mr. Otepka's office. Mr. Reilly explained to me that he would only consider such a technique if other investigative methods failed.

Mr. Reilly directed me to disconnect the wiring connections which Mr. Schneider and I had made. That evening, Mr. Reilly, Mr. Schneider, and I met in the Office of Security. In the space of a few minutes, I removed the extra connections which Mr. Schneider and I had made in Mr. Otepka's telephone while Mr. Reilly and Mr. Schneider stayed in the hall outside Mr. Otepka's office.

EXCERPT FROM TESTIMONY OF ELMER DEWEY HILL, JULY 9, 1963

Mr. SOURWINE. Well, do you know of any other office or division or branch in the Office of Security that would be competent to place a listening device in an employee's office, or compromise his telephone?

Mr. HILL. I do not know of anyone who would be competent.

EXCERPT FROM LETTER OF ELMER DEWEY HILL, NOVEMBER 6, 1963

Later that day, I discussed the technical aspects of this matter with Mr. Clarence J. Schneider who, at that time, was serving as

Chief of the Technical Operations Branch of the Division of Technical Services.

To summarize, for a 2-day period it might have been possible to intercept conversations taking place in Mr. Otepka's office if certain technical problems could have been resolved. These problems never were resolved and the wiring connections which were made were removed without any conversations having been intercepted.

EXCERPT FROM TESTIMONY OF ELMER DEWEY HILL, NOVEMBER 18, 1963

Mr. HILL. I should like to read it into the record. Thank you.

I, Elmer Dewey Hill, wish further to amplify statements which I have made concerning listening to telephone conversations on Mr. Otepka's office telephone.

In my testimony on July 9, 1963, and my letter of November 6, 1963, I stated that Mr. Schneider and I arranged telephone wires so that we could hear telephone conversations on Mr. Otepka's telephone. Nevertheless, on careful review of that testimony and letter, I fear that the implication is that, in fact, no such conversations were heard. I make this statement to correct such an implication.

In our testing of the arrangement which Mr. Schneider and I had made, over a brief period recordings were made of telephone calls on Mr. Otepka's telephone. They turned out to be of no consequence and were erased. Senator Dodd. Erased?

Mr. HILL. Yes; erased. When I gave my prior testimony and wrote the letter, I was under the impression, which I am now satisfied was erroneous, that, especially since no information of any consequence was obtained, my duty required me to speak and write as I did. (Page 907.)

I now feel, however, that this reasoning was faulty and accordingly, I have stated these facts explicitly to senior officers of the State Department, to whom I have submitted my resignation, and I am prepared to answer any further questions this committee may have. (Page 908.)

Mr. SOURWINE. Mr. Hill, when you testified on July 9, in response to the question, "Do you know of a single instance in which the Department has ever listened in on the telephone of an employee," you answered, "I cannot recall such an instance."

In the light of your statement this morning, are we to understand that you did at that time recall the instance of listening in on Mr. Otepka's telephone, but that you felt that it was your duty to give the answer that you did?

Mr. HILL. Yes, sir. (Page 908.)

Mr. SOURWINE. What you did then was to convert the earphone into a microphone, a listening microphone, through a circuit which you could tap at someplace outside of the office of Mr. Otepka?

Mr. HILL. If I may, sir, I would prefer to rephrase that. We made use of the latent microphonic capabilities of the earphone by establishing the circuit. The earphone will always operate as a microphone. That use is not made of it, however. (Page 911.)

Mr. SOURWINE. After you had altered the telephone or given it this additional function, would it have been possible for Mr. Otepka to overhear conversations elsewhere?

Mr. SACHS. On the device?

Mr. SOURWINE. As a result of what you did.

Senator Dodd. Could I hear that again?

Mr. SOURWINE. After you had altered the function of the telephone as you did, of the receiver part, of the earphone part, would it have been possible for Mr. Otepka to hear over that telephone anything that he would not normally hear, before you altered it?

Mr. HILL. It is conceivable—it is possible. (Page 911.)

Mr. HILL. Yes, sir. The point that bothers me is the terminal equipment. I do not really recall when that was taken off. It was taken on and off. We were experimenting with it because of the problem that the system was not working—we were trying to improve the system, so that the terminal equipment may have been disconnected and reconnected many times.

Mr. SOURWINE. But it was finally disconnected on the same day that you restored what you had modified in Mr. Otepka's telephone?

Mr. HILL. Yes, sir.

Mr. SOURWINE. What day was that?

Mr. HILL. I believe it was the second day after it was put in. Well, I am fairly positive of that. I am positive on that, that it was in operation for 2 days only.

Mr. SOURWINE. During the 2 days over how long a total period, minutes or hours, was the terminal connection hooked up so that you could record or listen?

Mr. HILL. I believe that it was hooked up most of 1 day and part of the next day.

Mr. SOURWINE. During that time did you have individuals listening in?

Mr. HILL. I myself from time to time listened to it because I was concerned with trying to improve the system, checking its operations.

Mr. SOURWINE. Who else listened?

Mr. HILL. And Mr. Schneider, probably, did.

Mr. SOURWINE. Did anyone else?

Mr. HILL. No, sir; I do not believe so.

Mr. SOURWINE. That is Mr. Clarence Schneider?

Mr. HILL. Yes, sir.

Mr. SOURWINE. How many different recordings were made of conversations?

Mr. HILL. How many different conversations were recorded?

Mr. SOURWINE. If you know, approximately.

Mr. SACHS. That is a different question—is that the one you meant?

Mr. SOURWINE. Well, I will take your phrasing.

Mr. HILL. Oh, I would say a dozen, perhaps more.

Mr. SOURWINE. Were these all conversations over the telephone, or were some of them conversations in the room that were not conducted over the telephone?

Mr. HILL. These were all over the telephone.

Mr. SOURWINE. What was done with those recordings?

Mr. HILL. Well, I believe that either I or Mr. Schneider gave the recordings to another individual.

Mr. SOURWINE. To whom?

Mr. HILL. I really do not know who that was. I will simplify it—it was not a person that I had any contact with, some stranger to me.

Mr. SOURWINE. Why did you give these recordings to someone who was a stranger?

Mr. HILL. Mr. Reilly's request.

Mr. SOURWINE. Mr. Reilly knew about these recordings?

Mr. HILL. Yes.

Mr. SOURWINE. Had he heard them?

Mr. HILL. I do not know whether he had heard them or not. I do know of one incident that he referred to, one telephone conversation. (page 914.)

I do not know how this knowledge came to him, whether he listened to the recording or it was reported to him by another person who listened to the recording, but there was one telephone conversation which did seem interesting to him.

Mr. SOURWINE. He knew about, at least, one conversation?

Mr. HILL. Yes.

Mr. SOURWINE. Had you told him about that conversation?

Mr. SACHS. At any time, or the time that he gave the recordings to the stranger? I got lost there. Are you referring to which? I think that you must specify time. You see, when you were talking about what he did with the recordings, he said he gave it to a stranger.

Mr. SOURWINE. I think it is perfectly clear, Mr. Sachs, that he gave it to a stranger at Mr. Reilly's orders, and Mr. Reilly at that time knew about the tap, and knew about the details of, at least, one conversation. Is that right?

Mr. HILL. Well, it is obvious that I, certainly, would not give the recordings to just any stranger walking down the aisle.

Mr. SOURWINE. Let us start again, Mr. Hill. You were instructed by Mr. Reilly to give these recordings to some individual?

Mr. HILL. I think that is a fair statement.

Mr. SOURWINE. Now, just how did he request you to do that? Orally or in writing?

Mr. HILL. Orally.

Mr. SOURWINE. What did he tell you to do? Were you to take it somewhere or to leave it somewhere or to give it to somebody who would call for it?

Mr. HILL. The latter; to give it to somebody who would call for it.

Mr. SOURWINE. How was that person to identify himself to you as entitled to receive it under Mr. Reilly's instructions?

Mr. HILL. I do not remember that. And as a matter of fact, I do not actually remember whether it was I or Mr. Schneider who gave the tape. I suspect it was Mr. Schneider, because, otherwise I would remember this.

Mr. SOURWINE. But now that Mr. Reilly did instruct you—but you know that Mr. Reilly did instruct you?

Mr. HILL. Oh, yes, sir. (Page 915.)

Mr. SOURWINE. When were these recordings turned over to this individual?

Mr. HILL. Here again I am not certain whether they were both turned over at the same time after the modification was taken out or were turned over at the end of each day.

Mr. SOURWINE. You say "they"—I presume you mean physically a disk or a wire on which the recording had been placed?

Mr. HILL. Yes, sir; a tape.

Mr. SOURWINE. A tape.

Mr. HILL. Yes.

Mr. SOURWINE. There were two tapes then?

Mr. HILL. Two reels.

Mr. SOURWINE. Two reels of tape, one for each of 2 days?

Mr. HILL. Yes, sir.

Mr. SOURWINE. And they were either turned over together or turned over one on one day and one on the next day?

Mr. HILL. Yes, but I am not certain, also, whether the second day was turned over, because the second day was more intermittent—I was trying to perfect the system, and it may have been not working part of the time and its value was not particularly great, therefore, and by that time it had already been decided to remove it.

Mr. SOURWINE. Well, then, if it was possible that the tape for the first day was turned over at the end of the first day, then your instructions from Mr. Reilly to turn it over must have come to you during that first day or before the first day, is that right?

Mr. HILL. Yes, sir. (Page 916.)

Mr. SOURWINE. Let me get at it this way: Did you tell Mr. Reilly about that particular conversation?

Mr. HILL. I believe I may have mentioned to him that there did not seem to be anything very interesting to him on this tape. However, there was one conversation that might be.

Mr. SOURWINE. Did you then tell him what that was?

Mr. HILL. Yes, sir; I believe I did.

Mr. SOURWINE. Did you see—just a little bit ago I understood you to say that you did not know how Mr. Reilly heard that conversation.

Mr. HILL. Well, if you understood what the conversation was, you would be able to appreciate how I could refer to it so as to identify it, but not divulge its contents.

Mr. SOURWINE. Is that what you did?

Mr. HILL. Yes, sir. As I recall.

Mr. SOURWINE. You identified it to Mr. Reilly without divulging its contents?

Mr. HILL. Yes, sir. (Page 917.)

Mr. SOURWINE. Try to identify what you said to Mr. Reilly.

Mr. SACHS. Tell what the purpose of the conversation was.

Mr. HILL. To make a luncheon date.

Mr. SOURWINE. Can you identify the person with whom the luncheon date was made?

Mr. HILL. No, sir; I do not know who he was.

Mr. SOURWINE. But Mr. Reilly was interested in this without being told any more about it?

Mr. HILL. Well, he did not know whether he would be interested. At that time he just said, "Oh."

Mr. SOURWINE. I see.

Mr. HILL. And I did not know myself whether he would be interested in it. I just thought it might be the sort of thing that he would be interested in.

Mr. SOURWINE. What did you have in mind when you told us earlier there was one conversation in which Mr. Reilly was especially interested?

Mr. HILL. That was it.

Mr. SOURWINE. He later indicated to you that he was interested in it?

Mr. HILL. Yes, sir.

Mr. SOURWINE. He later indicated to you that he knew more about it than you had told him?

Mr. HILL. Well, he later indicated to me that it had a significance which I was not able to place upon it at the time.

Mr. SOURWINE. Did he say what that significance was?

Mr. HILL. Yes, sir.

Mr. SOURWINE. What did he say that the significance was? That does not involve any divulgence.

Mr. SACHS. If you know. Maybe you had better tell me what your answer is first. May he?

Senator Dodd. Certainly.

(The witness conferred with his counsel.)

Mr. HILL. Apparently, the individual who called was connected with the staff of this committee.

Mr. SOURWINE. Mr. Reilly—did he tell you who it was?

Mr. HILL. No, sir.

Mr. SOURWINE. Now did Mr. Belisle know of these recordings?

Mr. HILL. Well—

Mr. SACHS. Would you be good enough to fix the time?

Mr. SOURWINE. Did he ever, to your knowledge, know of the existence of these recordings?

Mr. HILL. I am not sure whether he knew about them at the time that they were made. He later, of course, came to know about them. (Page 918.)

Mr. SOURWINE. Did he ever discuss them with you?

Mr. HILL. No, sir; I do not believe he did.

Mr. SOURWINE. Your instructions with regard to the gimmicking of this telephone, did they come from Mr. Reilly or from Mr. Belisle?

Mr. HILL. Mr. Reilly.

Mr. SOURWINE. Directly to you?

Mr. HILL. Yes, sir.

Mr. SOURWINE. Orally?

Mr. HILL. Yes, sir.

Mr. SOURWINE. And Mr. Belisle never gave you any instructions with respect to this matter?

Mr. HILL. No, sir.

Mr. SOURWINE. You never reported through Mr. Belisle or to Mr. Belisle with respect to them?

Mr. HILL. No, sir.

Mr. SOURWINE. So you really do not know whether he came to know about them at all?

Mr. HILL. That is true; I believe that is true.

Mr. SOURWINE. You were asked on the 9th of July, "Do you know of any instance where a listening device had been placed in an employee's office?" And you said, "Not to my knowledge." You did at that time know about what had been done with Mr. Otepka's telephone?

Mr. HILL. Yes, sir. (Page 919.)

Mr. SOURWINE. Was any listening device of any kind placed in Mr. Otepka's office other than the conversion of the telephone?

Mr. HILL. No, sir.

Mr. SOURWINE. Do you know whether any listening devices were placed, at any time, in the outer office of the Division of Evaluations where the three stenographers sat?

Mr. HILL. No, sir. I do not know of any.

Mr. SOURWINE. You do not know?

Mr. HILL. No.

Mr. SOURWINE. You were asked on July 9: "Are these not normal security measures which in proper circumstances would be indicated and would be taken?"

And you stated:

"I have never engaged in this—in that type of security measure."

The fact was that you had engaged in it; is that not true?

Mr. HILL. Yes, sir. I believe this was my obligation to the Department to do as I did.

Mr. SOURWINE. Yes.

Mr. HILL. To answer as I did.

Mr. SOURWINE. You were asked if the Office of Security had authority to do this, and instead of replying directly, you stated voluntarily:

"I personally have not ever been requested to do such a thing."

The fact was that you had been requested to do it, had you not?

Mr. HILL. Yes, sir. (Page 920.)

Mr. SOURWINE. You must have thought he wanted it done or you would not have done it; is that right?

Mr. HILL. Well, yes, sir, but the telephone was selected for logically reviewing the various other alternatives.

Mr. SOURWINE. But you discussed all of these things with Mr. Reilly?

Mr. HILL. No; not with Mr. Reilly. I discussed them with Mr. Schneider—he is the technical man. Mr. Reilly did not care what means were used. He was concerned with the results.

Mr. SOURWINE. He wanted to know what was going on in that office?

Mr. HILL. Yes, sir.

Mr. SOURWINE. Of course. So you modified the telephone so that you could find out? (Page 921.)

Mr. SOURWINE. Then you were asked the next question, the second question that followed:

"But you say your division has never done it, has never been called upon?"

And you answered:

"We have never been called upon; no, sir." The fact was that you had been called upon, had you not?

Mr. HILL. Yes, sir. (Page 922.)

Mr. SOURWINE. Now this question:

"Did you ever have anything to do with placing a listening device in Mr. Otepka's office?"

and your answer:

"No, sir."

As a matter of fact, you did have; did you not?

Mr. HILL. In the sense that the modification of the telephone was—

Mr. SOURWINE. Was a listening device?

Mr. HILL. Yes.

Mr. SOURWINE. Which was not in his office before you made the conversion?

Mr. HILL. Yes, sir. (Page 923.)

Mr. HILL. Well, not quite that. When you asked: "Do you understand from that that I was not to set anything up?" and I answered, "No, sir," I thought that you were referring to the wiring that we had made in the telephone—the wiring changes that we had made in the telephone system. And, furthermore, I was operating always under the impression that Mr. Reilly wanted to pick up telephone conversations. We had never—I mean—I beg your pardon—wanted to pick up room conversations. We had never achieved that capability; therefore, we were still in this exploratory phase.

Mr. SOURWINE. You stated in your statement:

"It was never contemplated that an attempt would be made just to monitor Mr. Otepka's telephone line in order to overhear conversations on it."

As a matter of fact, you not only contemplated it, but you did monitor his telephone conversations—you made recordings of the telephone conversations?

Mr. HILL. Yes, sir. Here again this is a by-product.

Mr. SOURWINE. You say that you reported that you were unsuccessful in your efforts to Mr. Reilly the following morning. But you did report to him that you had recorded certain conversations, is that not right?

Mr. HILL. No, sir; not then, because that was the morning after the installation was made and I do not even know whether we had a tape recording at that time.

Mr. SOURWINE. The second day you reported that you had made such tapes?

Mr. HILL. Yes; I believe I reported at the end of the first day.

Mr. SOURWINE. At the end of the first day that you had made a tape?

Mr. HILL. Yes. I think that Mr. Reilly—I think Mr. Reilly did not know that there was going to be a tape recorded hooked up at that time. He knew, however, that we intended to do it—to hook up a tape recorder at that time.

Mr. SOURWINE. You put this installation in on March 18, on the evening of March 18? (Page 925.)

Mr. SOURWINE. You did make recordings on the 20th?

Mr. HILL. Yes, sir.

Mr. SOURWINE. It could not have been at the beginning of the day?

Mr. HILL. No; I doubt that.

Mr. SOURWINE. And at the end of the day—the 20th—the evening of the 20th, you removed the connection, is that right?

Mr. HILL. Yes, sir. (Page 926.)

Mr. HILL. Mr. Reilly took the view that we were still trying to do what he asked us to do when the recorder was hooked up, and when these connections had been made, that we were in the process of making an attempt. Therefore, the go ahead on recording room conversations was never given. However, since during the course of the tests of all of the system and the equipment involved we did get telephone conversations, he did utilize telephone conversations. In effect, he had someone listen to them.

Mr. SOURWINE. Who did he have listen to them?

Mr. HILL. I do not know.

Mr. SOURWINE. You are talking now about the person to whom you turned over the tapes?

Mr. HILL. Yes, sir.

Senator DODD. I would like to clear up a little confusion about all of this in my mind. Do I understand correctly that Mr. Reilly talked with you about imposing some device—and I am using language which may be strange to you, perhaps, because I do not know the language—which would make it possible for him to know what Mr. Otepka was talking about in his office, either on the telephone or otherwise? It seems to me that he wanted to get both, if he could, because he wanted to do it with the least chance of letting Mr. Otepka know that it was going on. Am I right in so understanding? Is that a fair and reasonable understanding of what you are telling us?

Mr. HILL. That is actually true.

Mr. SACHS. Mr.—excuse me. May I ask him a question?

Senator DODD. Yes.

Mr. SACHS. Is it your understanding, Mr. Hill, that Mr. Reilly told you to do those things, to set up the system which would operate as the Senator has just described and to put it into execution, or did he tell you to see if such a system could be set up and to test it and then report to him if it could be done? This is the area, I think, that is a little obscure. That is what I am asking about.

Mr. HILL. It is the latter that he requested.

Mr. SOURWINE. But he knew that you had set it up with sufficient success to report to him telephone conversations?

Mr. HILL. Yes. (Page 930.)

Mr. SOURWINE. And he gave instructions as to the disposition of the tapes on which you had recorded them?

(The witness nods.)

Senator DODD. I can see that. It is clear now.

Mr. SOURWINE. You were, certainly, justified under those circumstances in assuming that he approved what you had done. You felt that you were doing what he wanted?

Mr. HILL. Yes, sir.

Mr. SOURWINE. You did get some of it, and recorded it, and Mr. Reilly disposed of the recordings.

Mr. HILL. Yes, sir.

Mr. SACHS. Do you know if Mr. Reilly disposed of the recordings?

Mr. HILL. No; I do not know that.

Mr. SOURWINE. He disposed of them in the sense of ordering that they be given to a particular individual whom he named, is that not right? (Page 931.)

Mr. THURMOND. Mr. President, a comparison of the first two excerpts from the testimony of July 9 and the letter of November 6 again shows a black-and-white contradiction. Mr. Hill said first he knew of no instance where an employee's phone had been tapped; he had never engaged in that type of measure; he had nothing to do with tapping Mr. Otepka's phone. In his letter, he admits that he did indeed have much to do with the operation, both in the planning and execution.

In his earlier testimony, Mr. Hill said flatly:

I personally have not ever been requested to do such a thing.

In his letter, he gives the details, and explains how Mr. Reilly ordered him to apply the tap and take it off. In his earlier testimony, Mr. Hill said that he did not know of anyone in the Office of

Security who would be technically competent to tap a phone; in his letter he names Clarence J. Schneider as the technician.

In his letter, Mr. Hill further states that the tap was made "without any conversations having been intercepted." This was a false statement, as he later admitted. He begins his testimony on November 18 by saying that conversations had indeed been intercepted. He said that he made over a brief period recordings that were "of no consequence" and were "erased."

As his testimony developed, however, he admits that the "brief period" lasted 2 days, and that 12 recordings were made. Instead of erasing the recordings, he gave them to a "stranger" under Mr. Reilly's orders. Finally, he admits that he identified one particular conversation that was of significance to Mr. Reilly because "the individual who called was connected with the staff of this committee."

During the course of the testimony, the subcommittee counsel read at least six questions to the witness from his own previous sworn statements; to each of the six Mr. Hill gave an answer opposite to the one he had given before.

I believe it is clear that the question of perjury is not trivial. Nevertheless, no disciplinary action has been taken against the three officers. Mr. Ball's role in the affair seems to be that he was more interested in getting the State Department off the hook, than in seeing that the case was pursued through all of its ramifications.

I turn now to a final incident which places Mr. Ball's actions of 1963 in a strange perspective. In recent weeks, allegations have appeared in the press which suggest that Mr. Ball was not only aware of wiretapping operations in the State Department, but held the authority over such operations. I ask unanimous consent that an article from the Government Employees Exchange of May 1, entitled "Bugging News Media Phones for Leaks Reported of State," and the article "Capitol View" by Willard Edwards from the Chicago Tribune of May 2 be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.
(See exhibits 1 and 2.)

Mr. THURMOND. Mr. President, if these allegations in the press are true, or even partially true, then Mr. Ball surely has a knowledge of wiretapping in the State Department that goes beyond the evidence in the Internal Security Subcommittee record. The point is crucial. The general sense of the false testimony cited earlier was that there was no wiretapping operations in the State Department. If the press allegations are true, then Mr. Ball was in a position to know that the false testimony was indeed false. Any light that Mr. Ball himself could shed on such a situation would indeed be reassuring.

Unfortunately, Mr. Ball has chosen to cloud the situation further, for the purpose, I am afraid, of misleading the Senate. A week ago Friday, Mr. Ball appeared before the Senate Foreign Relations Committee. As a matter of courtesy, he

was not under oath. The chairman asked him about the Government Employees Exchange article. I ask unanimous consent that excerpts from his testimony concerning this matter be printed in the RECORD, designated insert D.

There being no objection, insert D was ordered to be printed in the RECORD, as follows:

INSERT D

EXCERPT FROM THE TESTIMONY OF GEORGE W. BALL BEFORE SENATE FOREIGN RELATIONS COMMITTEE, MAY 3, 1968

The CHAIRMAN. There has come to my attention, Mr. Ball, a matter which is not directly related to your new appointment, but it does relate to your previous employment. I mean your previous position, in the Department of State. I think it might be helpful for the record since I don't think I will have an opportunity to inquire of anyone else, at least it ought to be straightened out, if it can be.

There is an article in the May 1st publication of the Government Employees Exchange. It describes a facility in the Department of State, and this would relate to your previous employment.

Mr. BALL. That is right.

The CHAIRMAN. And previous position. It says, it describes a facility in the Department of State as an electronics room, a bugging room, an electronics laboratory, these are the words that are used. The story suggests rather strongly that this facility can be and is used to monitor and record conversations unbeknownst to the telephone participants. The article also suggests that you were at one time in a position to authorize its use. Is there such a facility in the Department of State?

Mr. BALL. I am unaware of it.

The CHAIRMAN. You are not aware of it?

Mr. BALL. No, sir.

The CHAIRMAN. Well, to the best of your belief is that equivalent to that you do not believe it is correct?

Mr. BALL. This is a device for monitoring telephone conversations of people in the State Department?

The CHAIRMAN. That is correct, that is what the article says.

Mr. BALL. I think that is totally erroneous.

The CHAIRMAN. I think you ought to say so.

Mr. BALL. I certainly would have been aware of it had there been such a room, had there been such a device and there was none. There is none.

The CHAIRMAN. Well, I think it ought to be clarified. It alleges in this that this is used to pick up incoming conversations and telephone conversations also of the employees; particularly, it has reference to the members of the Department, to outgoing conversations between members of the staff and reporters.

Mr. BALL. I am totally unaware of that, Mr. Chairman, and I am sure it is erroneous.

The CHAIRMAN. And they also allege that tapes, records are made of conversations between Senators and members of the State Department.

Mr. BALL. I am certain that that is wrong.

The CHAIRMAN. So you can say positively that that is not so?

Mr. BALL. Yes.

The CHAIRMAN. I think it ought to be knocked down. It is a very current story, and a front page story of this publication, which is natural, if it were true would be very disturbing to the Committee.

Mr. BALL. Certainly in my experience in the Department this is totally untrue.

Mr. THURMOND. Mr. President, I wish particularly to point out one part of this exchange. The chairman said:

The article describes a facility in the Department of State as an electronics room, a bugging room, an electronics laboratory,

these are the words that are used. The story suggests rather strongly that this facility can be and is used to monitor and record conversations unbeknownst to the telephone participants. The article also suggests that you were at one time in a position to authorize its use. Is there such a facility in the Department of State?

Mr. Ball denied the existence of this facility vociferously and several times. He denied it without qualification. He said:

I certainly would have been aware of it had there been such a room, had there been such a device, and there was none. There is none.

Mr. President, I cannot understand why Mr. Ball would make such an emphatic denial. After a careful investigation, I have concluded that such an electronics laboratory does exist at the State Department. I have talked to people who have been physically present in the electronics laboratory. The subcommittee has sworn testimony that telephone conversations actually were monitored through facilities of the electronics laboratory.

In the very letters of amplification, which Mr. Ball handed to Mr. Rusk on November 6, 1963, the witnesses make reference to monitoring telephones through the electronics laboratory. Mr. Hill, who was in charge of the electronics laboratory, wrote:

We then established a circuit from Mr. Otepka's office to the Division of Technical Services laboratory by making additional connections in the existing telephone system wiring.

Mr. Reilly wrote that—

Hill had conducted a feasibility survey by connecting spare telephone wires from the telephone in Mr. Otepka's office to the Division of Technical Services laboratory.

Is it reasonable to believe that Mr. Ball, who handed these statements to Mr. Rusk, had not read them? Is it reasonable to believe that he would not have objected to them if the electronics laboratory did not exist? Is it reasonable to believe that he did not know that the electronics laboratory had the capability of monitoring telephones? Either Mr. Ball was trying to mislead Congress in 1963, or he was trying to mislead Congress in 1968, or he was incredibly naive.

I have in my possession—which I hold in my hand—detailed floor plans for the electronics laboratory, showing all entrances, closets, and appurtenant corridors. By checking the State Department telephone book of 1963, I find that the numbers of the suite on the floor plan correspond to the office numbers of the three false witnesses and other employees of the Security Office.

I agree with Mr. Ball that if such a facility existed, he would have, or should have, known about it. Why did he deny it?

Moreover, there are suggestions that wiretapping at State was even more widespread than the subcommittee record shows. In December 1963, the State Department named a two-man panel to investigate telephone tapping and electronic eavesdropping in the Department. I ask unanimous consent that an article from the Washington Post, December 24, 1963, entitled "Two-Man

Unit To Sift Otepka Wiretaps" be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 3.)

Mr. THURMOND. Mr. President, testifying before the subcommittee, Col. George W. French, Jr., a member of the panel, said:

We were asked to look into the matters of electronic surveillance of members of the Department of State, if this had been done, when it was done, how it was done.

The subcommittee record also includes a State Department memorandum setting forth the terms of reference for the investigation. I ask unanimous consent that this memorandum be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 4.)

Mr. THURMOND. Mr. President, I might also say that the subcommittee record also includes a memorandum by State Department security officer, John R. Norpel, Jr., concerning his interview with Colonel French. I ask that an excerpt from this memorandum also be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 5.)

Mr. THURMOND. Mr. President, unfortunately, the results of this investigation were denied to the subcommittee in written form. However, on another occasion, the State Department did supply information to the subcommittee that taps were discovered on the phones of Stanley E. Holden, Chief of Technical Security Branch, Domestic Operations Division, Office of Security.

Without passing judgment on the extent of wiretapping at State, it is difficult to understand why Mr. Ball denied all knowledge of such operations, denying even that the facility existed. On May 7, the Government Employees Exchange delivered to Representative JOHN ASHBROOK a memorandum setting forth an exact physical description of the electronics laboratory, and a history of its use. I ask unanimous consent that this memorandum be printed in the RECORD at this point in my remarks.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

MEMORANDUM SUBMITTED TO REPRESENTATIVE JOHN ASHBROOK BY GOVERNMENT EMPLOYEES EXCHANGE

HISTORY AND LOCATION OF "ESPIONAGE" OR "ELECTRONIC LABORATORY" FACILITIES AT THE DEPARTMENT OF STATE

I. Geographic location of the facility

During the tenure of George Wildman Ball as Under Secretary of State, the "secret electronics espionage laboratory" at the Department of State was located in four rooms in the New State Department Building numbered and identified as follows: 3805, 3808, 3809, and 3810.

Altogether, the four rooms of the facility occupied 1315 square feet of floor space; an additional 125 square feet of closets and interconnecting corridors also belonged to the facility for a total floor space of 1440 square feet.

A "lecture and demonstration" room adjoined the "laboratory". Its number was Room 3803. It occupied 515 square feet, plus two interconnecting doorway sections of 55 square feet each, for a total floor space of 625 square feet.

The four rooms and the lecture room collectively comprised an "island" in a "moat of corridors" completely surrounding the facility. The total floor space of the "island" was 2065 square feet.

Besides the protection of its "moat", the facility was further protected by a "drawbridge" which consisted of a locked door sealing it off entirely from the so-called Corridor 8 of the third floor. The attached diagram, which is listed as Attachment 1, identifies the facility.

No one could enter over the "drawbridge" without a special pass issued only on instructions of the Deputy Assistant Secretary of State for Security, John W. Reilly.

Access to the "island" of the "espionage laboratory" was even more rigidly controlled. Even security officers could not enter it. The laboratory was under the personal jurisdiction of John Reilly, the Deputy Assistant Secretary of State for Security, and of Elmer Dewey Hill, his principal "electronics" expert. Mr. Hill's official title was Chief, Division of Technical Services (Acting).

Besides Messrs. Reilly and Hill, another person who had "normal" access to the "espionage laboratory" was Clarence Jerome Schneider.

Mr. Schneider was identified, in testimony before the Senate Internal Security Subcommittee, as the person who "bugged" Otto F. Otepka's room, recorded telephone and room conversations, delivered the tapes of the recording to an unidentified person and, allegedly, subsequently "erased" the tape. No testimony has been taken directly from Mr. Schneider to date regarding his role. In early 1968, Mr. Schneider was given a "medical retirement" by the Department of State.

Both Mr. Reilly and Mr. Hill resigned from the State Department in late 1963 when Senators on the floor of the Senate charged the possibility of "perjury". Their "clarification letters" to the Senate Internal Security Subcommittee were drafted in the office of Under Secretary of State George Wildman Ball.

II. History of the facility

The facility of the "electronics espionage laboratory" was constructed in 1960 as part of the New State Department structure. The telephone and electrical wiring in the entire building was installed in a way to make possible easy monitoring of any telephone in the building by the laboratory.

Until the "Thanksgiving Day Massacre" in the State Department in 1961, the electronic espionage facility was under the supervision of the Division of Physical Security. Up until then, its use was controlled almost entirely by career State Department security officers, some of whom had worked previously with the FBI.

Following the "Thanksgiving Day Massacre", when George Wildman Ball emerged as Under Secretary of State, the facility was developed largely by "imported security officers", coming from CIA and NSA.

In anticipation of the change of control over the facility, the Department of State on December 15, 1961, shortly after the "Thanksgiving Day Massacre", issued a memorandum entitled: "Subject: Monitoring of Telephone Calls". (See attachment No. 1.)

The memorandum was intended to withdraw all other "monitoring" activities from persons and offices previously authorized to carry them out. In addition, it was intended to be a "cover" by suggesting no monitoring would be carried out elsewhere.

The December 15, 1961 memorandum appears as Attachment 2 hereto.

Effective January 15, 1962, a new Division of Technical Services was created by the Department. This Division obtained exclusive control over the espionage facility. Its first

chief was John Iams, secretly a long-time CIA officer publicly carried on the State Department rolls as a Foreign Service officer.

In early 1962, Mr. Iams "recruited" Elmer Dewey Hill, who was placed in charge of a so-called Research and Development Branch of the Division of Technical Services. Actually, Mr. Hill had been previously secretly on the CIA payroll.

In mid-summer 1962, Mr. Iams was "assigned" to the National War College and Mr. Hill then assumed full control of the Division of Technical Services.

In late evening and early morning hours, Mr. Hill allowed CIA officers to enter the "island". In later 1962 and in 1963, the White House and the Office of the Attorney General requested the facility to carry out certain operations they did not wish the FBI to monitor. Mr. Ball was fully informed of the reasons for the White House decision and he understood the use being made of the facility.

One, but only one, of the reasons for the secret use of the facility has already been reported in the May 1, 1968 issue of the Government Employees Exchange. This concerned the repercussions of the so-called Philippe Thyraud de Vosjoli case.

Other uses of the facility can be ascertained easily from George Wildman Ball, John Reilly, Elmer Dewey Hill and Clarence Jerome Schneider.

ATTACHMENT 1

Department of State memorandum to all executive and administrative officers, December 15, 1961

Subject: Monitoring of Telephone Calls

Effective immediately, monitoring of telephone calls will be held to a minimum. When it is necessary to monitor telephone calls, the following practices will be observed.

a. Telephone conversations shall not be recorded by recording devices unless advance notice is given to the other party and the device is connected in accordance with the Federal Communications Commission regulations.

b. Advance notice must be given whenever a secretary or any other person is placed on the line for any purpose whatsoever.

Mr. THURMOND. Mr. President, I must say that this description, especially as to its physical aspects, is confirmed by my own private investigation.

I cannot see what Mr. Ball had to gain by denying fairly well known facts without reservation. I do not subscribe unreservedly to all the allegations in the Government Employees Exchange article because I simply do not have enough information in hand. However, it is undeniable that an electronics laboratory exists—or existed—that it had a capability to monitor telephones, and that this capability was used.

If Mr. Ball was telling the truth a week ago Friday, he must have been completely unaware of a large, important operation under his administration. Yet he is seeking the responsibility of a key position in our diplomatic service. I find Mr. Ball's testimony incredible. Either he was very naive, or he was falsifying. I am opposed to his confirmation.

EXHIBIT 1

[From the Government Employees' Exchange, May 1, 1968]

BUGGING NEWS MEDIA PHONES FOR LEAKS REPORTED OF STATE—FIRING OF TOP MAN FOLLOWED DISCLOSURE THAT 85 LINES WERE TAPPED

A "secret electronics espionage laboratory," located in the "suite of offices" formerly occupied by Deputy Secretary of State for Security, John Reilly, and his electronics

expert Elmer Dewey Hill, carried out "systematic eavesdropping" on State Department officials and newspaper correspondents during the late Kennedy and early Johnson administrations, a former electronics specialist at the Central Intelligence Agency revealed to this newspaper on April 26.

"BUGGING" ORDER!

The former CIA official asserted that he had been personally consulted for professional assistance by Elmer Dewey Hill at one stage of the "buggings."

The decision to institute the electronic eavesdropping at the State Department was taken at the White House following a series of "leaks" of information to James Reston of the *New York Times* and to Chalmers Roberts of the *Washington Post* the informant revealed.

President Kennedy was especially irritated, he stated, because one of his own "planted leaks" to James Reston, which the *New York Times* disguised by giving it a foreign capitol dateline, was subsequently significantly modified through an "unauthorized leak" from a State Department informant.

The President ordered that the State Department official be identified and removed, the source said.

"ELECTRONICS LAB"

This identification was successfully carried out, the source claimed, through the use of the "electronics laboratory" built into the State Department when the new State Department addition was finished in 1960.

According to the source, every telephone in the State Department building can be "monitored by the simple device of crossing the panel when located in strategic sections of the building."

BALL AND ROSTOW

The use of the "bugging room" by the Kennedy administration grew especially intensive after the so-called "Thanksgiving Day Massacre" of 1961 within the State Department, the source said. As a result of the "massacre," George Wildman Ball rose to be Under Secretary of State and Walt Whitman Rostow came over from the White House to become Assistant Secretary of State for Policy Planning.

Previously, Mr. Rostow's appointment to that position had been blocked by the refusal of Otto P. Otepka to give him a security clearance without a "full field investigation," the source added. As Under Secretary of State, Mr. Ball assumed control of the "espionage room" in November 1961. He relinquished control of it to Nicholas de Pellville Katzenbach when the latter succeeded him as Under Secretary in 1966, the source alleged.

"MARTEL"

A few months after the 1961 "massacre," a Soviet KGB Major located in the Soviet Embassy in Helsinki, Finland, defected to the United States. Known by various pseudonyms, this defector was later introduced to the French authorities in 1962 as "Martel," the main personality in the current *Life Magazine* articles involving Philippe Thyraud de Vosjoli, the French liaison officer until 1963 with the CIA, the source revealed.

Other names used by the Soviet defector were Anatoli Michael Golyzin, Anatoli Dolynztin and Anatoli Klimov, the source added.

"FRENCH SPY"

Toward the end of 1962, Mr. Thyraud de Vosjoli informed his CIA contacts that the French had decided to establish an active espionage unit covering the United States. He also supplied CIA with a list of American newspapermen, as well as officials in the Department of State, CIA and the Department of Defense whom, he thought, the French authorities might be able to exploit as contacts.

Several of the State Department officials on this list were located in the Bureau of Intelligence Research, the source alleged.

Mr. Ball authorized the "electronics room" to tap the phones of every person on the list, according to the source.

ROGER HILSMAN

Inadvertently, some conversations which Roger Hilsman, the Assistant Secretary of State in charge of the Bureau of Intelligence Research, had with officials in the White House, the CIA and the Defense Intelligence Agency were picked up on the tapes, the source said.

Mr. Ball was considerably annoyed by some of Mr. Hilsman's expressions and actions; he communicated this information to Secretary Rusk who, however, the source understands, decided not to communicate his reservations to President Kennedy.

"RESIGNATION"

After the assassination of President Kennedy, further conversations of Mr. Hilsman were monitored. In some of these, he spoke "indiscreetly" about President Johnson. Shortly thereafter, Mr. Rusk indicated to Mr. Hilsman that his resignation would be appreciated, the source claimed. Mr. Hilsman "resigned" suddenly in 1964, the source said.

OTTO OTEPKA

An "ironic and unanticipated outcome of the monitoring" of the Bureau of Intelligence Research was that the facilities of the electronics room became overburdened during most of 1963. For this reason, when Mr. Reilly decided to have Otto F. Otepka's telephone monitored, he had to obtain Mr. Ball's approval to have it done outside the facilities of the central electronics room. Working with others, Elmer Dewey Hill placed a direct tap ineptly on Mr. Otepka's telephone and eventually Mr. Otepka learned of the tapping and informed the Senate Internal Security Subcommittee. This was to result in the so-called "perjury" situation arising from testimony given by Mr. Reilly and Mr. Hill to the Subcommittee, the source revealed.

PRESS "BUGGED"

Besides State Department officials, other persons whose conversations have been taped and made into "voice profiles" since 1963 included, according to the source, approximately eighty-five journalists and newspaper correspondents. Among these were John Hightower and Endre Marton of the *Associated Press*, James Reston, Richard Eder, John Finney and others of the *New York Times*; Bernard Gwertzman and Mary McGroarty of the *Washington Evening Star* and Rowland Evans and Robert Novak, columnists for the *Washington Post*.

SOME \$1,500,000 SPENT

Because the cost of the machinery for the "voice profiles" was unusually expensive, the Security Office spent during fiscal year 1963 over \$1,500,000, some of it on "loan" from other intelligence agencies, the source revealed. In the four-month period of March to June 1963 alone, the expenditures exceeded \$900,000, the source revealed.

EXHIBIT 2

[From the Chicago Tribune, May 2, 1968]

CAPITOL VIEWS

(By Willard Edwards)

WASHINGTON, May 1.—Another sordid chapter, straining credulity, is now being added to the extraordinary epic known as "The Otepka Tragedy."

The government's final ruling in the celebrated case was ready for release 40 days ago. On the point of publication, it was held up and inquiry today indicated that the mysterious delay may be protracted.

High federal officials stopped issuance of the ruling, it was learned, in order to prevent the simultaneous removal of the secret label from explosive testimony now hidden in the files of the Civil Service Commission.

The evidence thus being suppressed involves two major administration figures—Secretary of State Dean Rusk and former Undersecretary George W. Ball, ambassador-designate to the United Nations.

Ball awaits a Senate hearing on his qualifications as President Johnson's nominee to succeed the resigned Ambassador Arthur J. Goldberg. Publication of the Otepka transcript could provide the basis for questions embarrassing to him and to the administration.

Otto F. Otepka thus endures another agonizing wait in an ordeal which began five years ago when he was fired as the state department's top security officer because he dared give testimony to a Senate committee about lax security procedures in the department.

He won reinstatement after four years of intimidation and harassment. Most of the charges against him were dropped but Rusk imposed a reprimand and a demotion in grade which ended his career as a security officer. Otepka, maintaining he was entitled to complete vindication, appealed to the Civil Service commission, the presumed guardian of the rights of all government employees.

CHARGES COVER-UP FOR REILLY

On March 7, at a secret commission hearing Otepka boldly documented a charge that Rusk and Ball "covered up" for subordinates who engaged in a conspiracy to oust him from his security post. He named 11 state department employees, headed by John F. Reilly, former deputy assistant secretary for security, as members of the conspiracy.

Recalling that Reilly tapped his telephone, drilled open his safe, and placed him under surveillance, Otepka said the evidence clearly demonstrated that Rusk and Ball "fully protected Reilly in his attempts to escape culpability when he was trapped in his own falsehoods."

Congressional investigators are now probing reports that Otepka was only one of a number of state department officials whose conversations were monitored during the Kennedy-Johnson administrations. Ball, undersecretary from 1961 to 1966, was named as the official in charge of what was known as "the espionage room" which handled this widespread phone-tapping operation.

As the hearing ended, Commission Examiner James Masterson said his decision would be ready in "10 days or two weeks."

Otepka asked for a copy of the transcript in order that he might make corrections, if necessary. This is a routine courtesy granted all witnesses. Masterson promised to furnish him or his attorney, Roger Robb, with a copy of the testimony. Nearly two months later, despite numerous requests, neither Robb nor Otepka has been supplied the transcript.

Masterson's verdict, reportedly adverse to Otepka, was ready, as he had predicted, by March 21. But alarm had meanwhile spread thru high administration circles as the transcript was studied. It was a highly persuasive account of vicious intrigue designed to destroy a government servant whose only crime was a refusal to protect security risks he found in the state department.

OFFICIALS FACE A QUANDARY

Officials faced this quandary: They were anxious to rid themselves of the Otepka case, which has become a grave political liability, but an official ruling would require release of the transcript to Otepka and his attorney for use in appeal to the courts if they decided to keep on fighting. Suppression of its damaging contents would no longer be possible.

As the weeks passed, this dilemma remained unresolved. Inquiries at Masterson's

office were met with a statement that the decision was not yet ready for release.

Otepka, meanwhile, put himself on an unpaid leave status. He could not, in good conscience, he said, accept pay for the clerical duties assigned by Rusk which ignored his 25 years of experience as a security officer. "I haven't lost hope," he said. "Somehow, some day, in this land of freedom and justice, the right of government employees to furnish information to Congress is going to be upheld."

EXHIBIT 3

TWO-MAN UNIT TO SIFT OTEPKA WIRETAPS

The State Department yesterday named a two-man panel to investigate allegations of telephone-tapping and other electronic eavesdropping in the Department's security office.

Appointed to the panel were Wilson Clark Flake, retired former U.S. Ambassador to Guinea, and George W. French Jr., a retired Army intelligence officer.

They were instructed to re-examine testimony given before the Senate Internal Security Subcommittee, which has been investigating State Department security, and to review State Department records, conduct interviews, and report to Secretary of State Dean Rusk as soon as possible.

The investigation stems partly from the case of Department Security Officer Otto Otepka, who was given his dismissal notice in November on charges that he circumvented normal procedure in giving information to the Senate Subcommittee.

Otepka, who is appealing his ouster, charged that other officials of the Security Office tapped his phone. Two members of the Security Office recently were placed on leave after they first denied and later conceded before the Subcommittee that the tapping incident occurred.

The State Department said the panel investigation is separate from hearings which will be held on Otepka's appeal.

EXHIBIT 4

DECEMBER 19, 1963.

Memorandum for: Wilson C. Flake, George W. French,
From: William J. Crockett.
Subject: Terms of reference for an investigation of certain actions in the Office of Security.

I am transmitting to you copies of terms of reference with a request that you begin work on this project immediately.

In the conduct of your investigation you are authorized to take sworn statements. Should your request for such a statement be refused I want this matter brought to my attention immediately.

I have requested all personnel of the Office of Security to cooperate with you fully. Although I do not wish to set a deadline for the completion of this assignment I am sure you recognize that we are interested in having as thorough a job done as possible.

Attachments: as stated.

TERMS OF REFERENCE FOR THE CONTINUATION OF THE DEPARTMENT'S INVESTIGATION OF CERTAIN ACTIONS IN THE OFFICE OF SECURITY

During the last 2 months the Department has been trying to assemble all facts relating to any efforts made in the Office of Security to intercept conversations in the office and on the telephone of Mr. Otto F. Otepka. This investigation needs to be concluded at the earliest possible moment and a report must be prepared for the Secretary of State setting forth all the information obtained.

In the conduct of the final stages of this investigation particular attention should be devoted to the following:

(a) A thorough reexamination of all the testimony given to the Senate Internal Security Subcommittee by any present or former member of the Office of Security.

(b) A further review of all written material that has been provided by present or former members of the Office of Security.

(c) Based on information available under (a) and (b) above, oral interviews should be conducted with any individual who may have participated in, or have knowledge of, activities mentioned by the Senate Internal Security Subcommittee. Specifically, particular attention should be given to the allegation of other cases of "bugging" or "tapping." This includes also any charges of "tapping" or "bugging" in places other than Mr. Otepka's office. As conclusive an analysis as possible of this allegation should be made.

(d) Any organizational or procedural difficulties which may be brought to light by the Department's investigation.

(e) Any relevant matters that have been raised either during the Department's inquiry or the investigation of the Senate Internal Security Subcommittee and which have not yet been completely investigated.

EXHIBIT 5

EXCERPT FROM MEMORANDUM OF RECORD BY STATE DEPARTMENT SECURITY OFFICER JOHN R. NORPEL, JR.

MEMORANDUM OF RECORD

On Friday, January 17, 1964, from 2:30 to 4:15 p.m. Security Officer John R. Norpel, Jr., was interviewed in Room 7334 NS. The interview was conducted by former Ambassador Wilson Flake and retired Army officer George French.

Prior to the outset of the formal interview as it was described by Ambassador Flake, he explained the scope of his assignment was to identify shortcomings in security and practices procedures. Ambassador Flake mentioned he had been instructed by the Assistant Secretary for Administration William J. Crockett. However, the final report would be furnished to the Secretary personally and he implied it would not be routed through lower staff levels.

Ambassador Flake also pointed out that he did not intend to explore the issues in the "Otepka case." He stated these were separate from the inquiry at hand and would be answered by Otepka in due proceedings. Continuing, he requested that should any of his questions appear to be related to or identical with any of the "three charges" Otepka was facing—the interviewee should so state.

When Ambassador Flake disclosed the "Otepka case" was to be considered a separate matter, he was informed Security Officer Norpel was in no way reluctant to discuss that or any other matter. Security Officer Norpel observed undoubtedly the gentleman had or should have had access to the FBI's investigative report. Security Officer Norpel stated his answers or statements could not differ materially from the information he divulged to the FBI.

Ambassador Flake concluded the introduction to the formal interview by advising all information developed through the course of his inquiries would be furnished to the Secretary of State for such use as the Secretary would desire. When Ambassador Flake noted that the formal interview of record would then proceed, Security Officer Norpel asked if this interview was being recorded. In essence, both Ambassador Flake and Colonel French replied in the negative to the question insofar as technical coverage was concerned. The only "recording" would be such notes as they might make during the course of the questioning.

Colonel French then, in substance, advised Security Officer Norpel not to answer questions if he did not desire. Should the advice of counsel seem necessary at any point, the interview would be terminated so that Security Officer Norpel could make such arrangements.

The first questions of a formal nature

were by Colonel French. These related to personal knowledge of tampering with telephones or clandestine, surreptitious entry into safes on the property of the Department of State. The answers to both questions was "No." In elaboration, Security Officer Norpel related he suspected his own telephone had been tapped or tampered with. He recalled several occasions in about May or June 1963, when after dialing the first digit to reach another phone in the Department calls in progress from Mr. Chayes' office, the Legal Counsel, could be audibly monitored. The interviewers were informed after this occurred on a number of occasions it was reported to Security Officer (technician) Stanley Holden. It was assumed Holden made some type of check. Security Officer Holden subsequently explained often rotaries on telephone dial equipment in the basement became clogged with dust which could possibly have caused the malfunction described.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. THURMOND. I am pleased to yield to the able and distinguished Senator from Delaware.

Mr. WILLIAMS of Delaware. I shall vote against this confirmation. The Senator from South Carolina has raised some points about the Otepka case which should be answered before the confirmation is approved. The record shows that before a Senate subcommittee, representatives of the Department first denied that it had used a wiretap, then later retracted the denial after other testimony before the committee proved they were false statements. However, it was disturbing to find later that the men who testified truthfully before the subcommittee were punished by being ostracized and put into Siberian positions.

In this connection, I ask unanimous consent that my statement of February 14, 1968, in connection with Mr. Hite and his associate, Mr. Burkhard, be printed in the RECORD.

Mr. BYRD of West Virginia. Mr. President, reserving the right to object, what was the request?

Mr. WILLIAMS of Delaware. To print the remarks I made on February 14, 1968, concerning Mr. Hite and Mr. Burkhard who testified in this case. After my disclosure of their plight these men were reassigned.

Mr. BYRD of West Virginia. I have no objection.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

[From the CONGRESSIONAL RECORD, Feb. 14, 1968]

STATE DEPARTMENT ISOLATION WARD

Mr. WILLIAMS of Delaware. Mr. President, I was somewhat shocked today to find that the State Department is operating what might be referred to as a special isolation ward or cooler for employees whose only crime is telling the truth to a Senate committee.

When this situation was called to my attention I visited this place. I suggest that Members of the Senate and the press go to 23d and D streets, on the first floor of the old State Department Annex Building. There will be found an entire floor that is being heated and maintained by the State Department, and much of the building is piled up with a lot of junk. Only one office on this floor is occupied.

The two employees who are in this room are Harry M. Hite, who is a GS-13 at a salary of \$15,307, and Edward Burkhard, who is a GS-12 at a salary of \$12,890.

Mr. President, these two employees have had practically no work since 1965. They have had absolutely no work at all assigned to them since October of 1966. Their only duty is to report at 9 o'clock in the morning and to remain there until 5:30 in the evening. They have a telephone and a typewriter, and they sit there looking at each other and reading the newspapers. They have repeatedly sent requests to their superiors in the State Department asking that they be assigned duties. Thus far nothing has been assigned to them.

Mr. President, these two men are being isolated and penalized solely because they testified in the Otepka case. In that case, two or three other employees testified and lied to the committee about whether or not they wiretapped Mr. Otepka's telephone. These men told the truth, and that is their only crime; they told the truth. Those others who lied to the committee and later, when caught, changed their testimony, have been adequately taken care of by the State Department. They were taken care of because they tried to cover up for them. But the State Department could not fire these two men because it realized it could not sustain charges. The men draw their salaries and sit there twiddling their thumbs for 8 hours a day in what now has the appearance of an old abandoned warehouse.

This is ridiculous, especially at a time when we hear so much about Government deficits. The State Department is well aware of this situation because these two men have sent repeated memorandums to the Department appealing for some work to do.

Mr. President, I went through the place this morning, and I looked at it. I invite Senators and members of the press to go down there and look at the conditions in that building. If those who go there are unable to find the room at first, do not give up, because I searched for 10 minutes before I could find anybody in the building. The men were there, in room 114, and on the job, sitting there as they have been for the last 16 months, waiting for somebody to give them orders.

Mr. President, I most respectfully suggest that this matter should be straightened out within 72 hours. If not, I am going to submit a resolution asking for the immediate removal of their superior.

Mr. WILLIAMS of Delaware. Mr. President, I shall vote against the confirmation of the nomination.

The PRESIDING OFFICER. The question is, Shall the Senate advise and consent to the nomination of George W. Ball? [Putting the question.]

The ayes have it, and the nomination is confirmed.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the President be immediately notified that the Senate has ratified the two resolutions of ratification on the conventions and that the Senate has also confirmed the nominations.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate return to the consideration of legislative business.

There being no objection, the Senate resumed the consideration of legislative business.

OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1967

The Senate resumed the consideration of the bill (S. 917) to assist State and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law-enforcement and criminal justice systems at all levels of government, and for other purposes.

Mr. McCLELLAN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. McCLELLAN. Is there any amendment pending at the moment?

The PRESIDING OFFICER. No amendment is pending.

Mr. McCLELLAN. I thank the Chair.

Mr. President, I again want to share with my colleagues some of the continuing expressions of concern over the rising tide of lawlessness in this country that I have received during the past few days. In lieu of inserting those communications into the RECORD, however, I shall merely read excerpts from them.

Before doing so, however, I wish to read a few excerpts from an editorial written by David Lawrence, and published in U.S. News & World Report for May 6, 1968, entitled "How To Fight a Domestic War." I ask unanimous consent to have the full text of the editorial printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. McCLELLAN. Mr. President, the editorial begins:

Never before in the history of the United States have the people been confronted with such a threat to their safety in the cities as we are witnessing today.

Apparently the impulse to create havoc is infectious. Its spread is plainly due to the failure of established authority promptly to impose discipline so as to deter further attempts to defy the law.

Basically, many of the rioters have lost all respect for "law and order" and are taking advantage of the softness of governing authorities. When "marches" and "demonstrations" first began, and the police used normal methods of control, charges of "police brutality" were heard. A continued propaganda movement has since been carried on against the police generally.

Nothing in the Constitution says that freedom of speech means the right to incite persons to destroy lives or property.

Various public officials have been advocating a gentle handling of riots and restrictions on the use of force, even though criminal elements are stimulated to rob and loot. The impression has been conveyed that the authorities would be "soft" and that thievery could go on with little interference and without much risk of punishment. There have been too many cases of vandalism while police were nearby. If the impression develops throughout the big cities that looting can be done with relatively little chance of its being stopped by police, an even greater loss of life and property could ensue in the future.

Commenting on the threatened Poor People's March, an editorial published

in the Tulsa World of May 7, 1968, notes that—

The Rev. James Bevel, told a Mississippi group last week that mass applications for welfare are one means of tying up local government machinery. . . . Organizers say the march and camp-in will last indefinitely—until their demands on Congress are met. No one knows how long that may take. But it stands to reason that the longer the "visitors" remain, the more likely they are to seek health and welfare benefits."

. . . If poverty, hunger and illness are being exploited to gain political objectives, it is the choice of leaders of the march—and the marchers themselves. The District of Columbia should not be expected — and should not consent to subsidize this kind of invasion at the seat of government.

Mr. President, I ask unanimous consent to have printed in the RECORD the editorial entitled "Subsidizing the March," published in the Tulsa, Okla., Daily World of Tuesday, May 7, 1968.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SUBSIDIZING THE MARCH

The poor people's march on Washington this month is raising some sticky questions.

For example, shall Government welfare and health agencies in the Capital assume care for the thousands of marchers who may seek their services?

In other words, is the Federal welfare establishment obliged to undergird a movement that seeks to challenge and possibly disrupt the very processes of the Government itself?

That may seem paradoxical and insane, but it is real enough. One organizer for the march, the Rev. James Bevel, told a Mississippi group last week that mass applications for welfare are one means of tying up local Government machinery.

Winifred G. Thompson, District of Columbia Welfare Director, is very much aware of the possibility of mass demands for welfare support. She has asked the District corporation counsel whether she must pay benefits to out-of-town applicants who come to Washington.

The District Health Department also wants to know how far its responsibility goes in furnishing medical services for the campers-in.

Questions of money arise, too. Will Congress be asked to furnish emergency funds for the care of the demonstrators?

Organizers say the march and camp-in will last indefinitely—until their demands on Congress are met. No one knows how long that may take. But it stands to reason that the longer the "visitors" remain, the more likely they are to seek health and welfare benefits.

It isn't hard to foresee outraged protests against a hard-hearted bureaucracy that will allow women and children to go hungry and ill right under its nose. In such an atmosphere, will anyone ask who is responsible for the march in the first place?

If poverty, hunger and illness are being exploited to gain political objectives, it is the choice of leaders of the march—and the marchers themselves. The District of Columbia should not be expected—and should not consent—to subsidize this kind of invasion at the seat of Government.

Mr. McCLELLAN. Mr. President, I do not know what all of the demands—and Senators should understand they are not requests, they are demands—being made by those participating in the march and their leaders are, nor what they are expected to achieve. I read in this morning's newspaper that one demand was that

the Government guarantee or provide every family in America a minimum income of \$4,000 per year.

I do not know whether there is associated with that demand any acknowledged responsibility on the part of those who are to be so subsidized to work when they have a chance to work, to work when a job is offered to them, or whether it would just be a gratuitous contribution by the taxpayers of this Nation to anybody who just does not want to work.

I think we need some clarification on that issue, because I also read in the press this morning that there are more jobs available in this country today than there are people who are unemployed; and I may say, Mr. President, that in my State there are jobs awaiting people who are willing to work. I think that can be said without any fear of successful challenge. I do not know that it holds true everywhere; I would not say that it does. But certainly, jobs that are available should be filled, and people who can do the work should be required to work before we tax other citizens of this country to provide them a gratuity of \$4,000 a year.

A column appearing in the current edition of "Roll Call" by Allan C. Brownfeld also comments on the march on Washington that is now in progress. Mr. Brownfeld was kind enough to forward me a copy of his column and noted, in his cover letter, that—

The Poor People's March which is planned for Washington in the near future is an example of the politics of coercion which its advocates do not hesitate to endorse.

I have previously noted in the course of the debate during the last few days, Mr. President, that there is a tendency—in fact, it is becoming an accepted practice in many areas of endeavor in this country—in politics, in petitioning the Government, in protesting whatever may not be liked in the colleges and the universities, or wherever someone dissents or disagrees with what is occurring—to resort to intimidation, coercion, and even violence as a means of achieving goals or aims.

Mr. President, that is not consistent with a country governed by laws instead of by men. Therefore, this trend cannot be permitted to continue.

Force, intimidation, and coercion, if it becomes the process by which we govern ourselves in this country, will destroy our liberty and force an end to the sovereignty of government. Our Government would become a rule by dictatorship rather than a rule by the democratic process.

When we are dealing with the pending crime bill, all of these subject matters and activities in the nature of demonstrations—that is, demonstrations that are not passive, but are disorderly demonstrations in which the participants trespass upon the rights of others or commit acts of civil disobedience—are relevant to the pending bill which we are considering in an effort to reinforce the law-enforcement agencies of the country and to improve the operations of the machinery of justice.

Mr. Brownfeld begins his column:

The poor people's march which is scheduled to arrive in Washington in the near future is by no means a civil rights demonstration. This point was made explicitly by the Rev. James Bevel, a spokesman for the Southern Christian Leadership Conference which is sponsoring the march. Speaking in Marks, Mississippi, where the leaders began their search for recruits, Bevel stated that: "This is no longer a civil rights thing. This is economic. We intend to force the power structure of this country to divert more energy—and by that I mean money—into getting 40 million Americans into this nation's economic mainstream."

I guess that statement is susceptible of different interpretations. I think most Americans have the opportunity to be in the economic mainstream. There are a few who possibly do not have. But there are ways and means to try to reach those few and help them if they are willing to help themselves.

There is not, in my judgment, a Member of the Senate who is not perfectly willing to try to reach down and help those who are willing to help themselves and are willing to accept the helping hand which is reached out to them and put forth some effort on their own part to try to improve their condition.

That has been demonstrated here time and time again by the programs that have been authorized and the expenditures that have been made in an effort to do this. I think that every Senator would be willing to do so again on any new program that is submitted. However, there is a whole lot of difference between doing that and being threatened and intimidated and having someone say to the Congress of the United States, to our Government, and to its officials, "We are going to force the power structure of this country to divert more energy—and by that we mean more money—to give us some of these things that we want."

Mr. President, where is the money coming from? Are those of us who are going to support this demand ready to add an additional 10- or 15-percent surtax to the surtax that the President is now asking for? We would have to do this to provide the \$10 billion or more that would be required. That is a very modest estimate. It is probably an understatement of the amount required to meet just this one demand.

Where is the money coming from? The credit of our Government is already under a strain. As a result, we have an imbalance in trade with foreign countries. We have pressure on the dollar. We have spiraling inflation. Are we going to add this much pressure to the pressure that already exists?

I think those who are willing to vote to meet these demands for \$10 billion or more on this one issue and for the other billions that would be required to finance the additional programs these people want should realize that if we vote in favor of meeting these demands, we should be willing to increase our taxes to pay for our action.

Unless we stabilize the economy, unless we stabilize our fiscal policies, voting today to spend more money will not mean that we will have the purchasing power to buy the goods tomorrow that we could buy with today's purchasing

power. The purchasing power of the dollar is rapidly declining. And to make such huge expenditures as are being proposed would simply add to and hasten the decline of the purchasing power of the dollar.

Continuing, Mr. Brownfeld stated:

In a free society all individuals have the right to advocate policies which others consider mistaken. But none have the right to take the law into their own hands and violate the rights of others. The leaders of the march, when they advocate dislocating the functioning of municipal and federal governments, the blocking of bridges and highways, are forgetting the very principle which liberal advocates of open housing and other reforms urged: one man's freedom ends where another begins. What of the right of the majority of citizens to conduct their legitimate business?

Mr. Brownfeld's thought-provoking column concluded with this:

Our society can be pulled down if we permit the blackmailers and their advocates to dominate. Citizens have the right to advocate a guaranteed annual wage, more jobs, and even preferential rights. But they have no right to violate the law and deprive other citizens of their rights. It is important that we recognize the distinction, for in the coming weeks we may be forced to draw our lines very sharply.

Mr. President, I made the following observation on the floor of the Senate last Friday:

We have in this country among our Negro people some of the finest, some of the most patriotic, some of the most loyal citizens, who share today the fear that others are expressing, who share the shame that we feel when we see these outrageous riots and acts of lawlessness running rampant throughout our cities—the plundering, the burning, the pillaging, and the murdering. They do not agree with it, they want it stopped. The best element of the Negro race in this country today want these things stopped. They want law and order. They, too, want protection.

Yesterday, Mr. President, in one of the cities of my State, it was my privilege to attend a dedication ceremony of one of the most beautiful community centers that I believe can be found anywhere in a community of that size. There, Mr. President, the leading Negro citizens of the community joined with the white citizens of the community, and together, in an appropriate ceremony, joined hands in the dedication of this center, which will provide services and conveniences to all the people of that city.

That is the way things should be done, and that is the way we will make progress in race relations, and that is the way we will make economic progress—when everyone is willing to carry his share, when each one is willing to try to earn his own way, when each one is willing to work and will work when work is offered.

But we will not progress in this country and our internal situation will not improve if we have come to the point at which we are ready to be intimidated and permit intimidation and coercion to influence us to vote gratuities of an annual wage or a guaranteed income simply to provide the livelihood for some people who are not willing to work and who will not undertake to take care of themselves.

There are those who need help. There are those for whom we provide relief. If relief is inadequate, so far as we can do so we should increase it and in many areas expand it. But whenever we take a position in which we say to anybody coming here, "You will get \$4,000 a year or some other amount, whether you work or not," we would be opening the floodgates to our financial ruin.

Mr. Archie Moore, the great boxing champion and a great American, is a prime example, Mr. President, of what I have just been talking about as to the good Negro citizens of our country. An article published in the *Dearborn Guide* of May 2, 1968, is devoted to this outstanding man, and I ask unanimous consent to have the entire article, entitled "Archie Moore Seeks Self-Help," printed in the *RECORD* at the conclusion of my remarks.

The PRESIDING OFFICER (Mr. PROXMIER in the chair). Without objection, it is so ordered.

(See exhibit 2.)

Mr. McCLELLAN. Mr. President, Mr. Moore is quoted as saying:

The devil is at work in America, and it is up to us to drive him out. Snipers, looters, white or black, deserve no mercy. Those who would profit from their brother's misfortunes deserve no mercy, and those who would set fellow Americans upon each other deserve no mercy.

Continuing, Mr. Moore said:

I am a staunch advocate of the Negro evolution for the good of mankind. I've seen almost unbelievable progress made in the last handful of years. Do we want to become wild beasts bent only on revenge, looting and killing and laying America bare? Hate is bait, bait for the simple-minded.

Sure, I despised the whites who cheated me, but I used that feeling to make me push on. If you listen to the professional rabble-rousers, adhere to this idea of giving up everything you've gained in order to revenge yourself for the wrongs that were done to you in the past—then you'd better watch your neighbor, because he'll be looting your house next. *Law and order is the only edge we have.* No man is an island. (Emphasis supplied.)

Mr. President, Mr. Archie Moore is quoted further as follows:

Granted the Negro still has a long way to go to gain a fair shake with the white man in this country. But believe this: If we resort to lawlessness, the only thing we can hope for is civil war, untold bloodshed, and the end of our dreams.

Mr. President, those words were spoken by a man who obviously loves his country, and I urge my colleagues to read the entire article about Mr. Moore.

Mr. R. W. Baldwin, president of the Maryland State Bar Association was kind enough to forward me an article he had prepared at the request of the *Daily Record*, the Baltimore legal and business daily, for its annual Law Day, U.S.A., edition. In his letter of transmittal, Mr. Baldwin commented that he had "been following with great interest your committee's hearings in respect to law enforcement, as to which I very strongly support your view."

The article is entitled: "Recent Insurrection Lends Sardonic Note to National Image of Observance."

Mr. President, the article is very per-

tinent to our deliberations on S. 917. I shall not take the time to read the article in its entirety, but I ask unanimous consent that it may be printed in the *RECORD* at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 3.)

Mr. McCLELLAN. Mr. President, I shall read two or three excerpts from the article. The article states:

The steady increase of crimes of violence, including ruthless assassinations, now capped by the recent eruptions of senseless arson, looting, riot and insurrection, have made a mockery of our national image of a democracy governed under law and order. As a consequence, Law Day U.S.A. this May 1, 1968, takes on a sardonic note.

It is significant that S. 917 was taken up and made the pending business in the Senate on Law Day, U.S.A., 1968. This is the most vital and important legislative measure, in my judgment, that will be considered in this session of Congress.

The disposition of this bill, whether we pass it or reject it, is going to have a lasting impact upon law and order in our country, and more so than we probably can visualize at this time.

Some of the provisions of the bill strike at the very crux of the problems that confront us, the lack of law enforcement. If you sum it up in a nutshell, that is the greatest threat to our country: the lack of law enforcement. This bill strikes at that threat by providing the means for strengthening law-enforcement officials in training and equipment, and then, by strengthening them in presenting a case for adjudication in the courts of our land. It also strengthens the judicial process by modifying some Court decisions that, in my judgment, have tampered with the Constitution—at least these Court decisions overruled what had been the law of the land for more than 100 years and they overruled precedents established by competent and able judges who have been revered since they served on the Supreme Court.

The Constitution did not change. The other courts have held the admissibility of voluntary confession to be constitutional over and over. It was the Court that changed and not the Constitution.

There are those people who talk about trying to turn back to lynch law. There is nothing so ridiculous as those persons who use that term. One has only to read this bill to know that it would do no such thing. It simply turns back the clock to the time when the Constitution was interpreted to mean what it said, and that is all. It turns aside or rejects the amendment that has been fostered onto the Constitution by Court decisions that invoke dubious technicalities to turn loose on society known, confessed, guilty criminals.

Mr. President, the article to which I have referred continues:

How can we say to the world that the United States stands for law and order in the face of the uncontrolled lawlessness which we tolerate today? The plain truth is that we cannot. Hence, the usual platitudinous statements relating to Law Day U.S.A.: and World Peace Through Law will have this year a hollow and mocking tune. My view is that we must face up to the situation and act accordingly.

Mr. President, I hope that all Senators will read the entire article, because it describes the work of the President's Commission on Law Enforcement and the Administration of Justice. Although in a minority, a substantial number on that Commission recommended action in line with the provisions of the pending bill. Yet they were ignored by the majority.

I quote further from the article, from Chief Judge J. Edward Lumbard of the second circuit, chairman of the ABA Special Committee on Minimum Standards for the Administration of Criminal Justice:

"We are in danger of grievous imbalance in the administration of criminal justice * * *". Starting with that premise they advocated in restrained language legislation to moderate the more unrealistic effects of the *Miranda*, *Escobedo* and *Crooker* cases so that police can apprehend and courts can convict at least the plainly guilty.

Mr. President, as a Senator, I expect to have daggers thrown at me, to be ridiculed from some sources, and to be charged with what seems to be, in the minds of some, an unpardonable sin, that of attacking the Supreme Court.

Let me remind my colleagues that I did not attack the Court. If this is an attack, four members of that very same Court attacked the decisions of the other five. Were they attacking the Court when they dissented? I do not think it can be charged that they had no right to dissent. I have not said anything more harsh about the majority of the Court than the minority members have themselves who disagreed with them.

These days we seem to be harping on the right to dissent in America. All right. If that is a right of every citizen in America, then certainly every Member of this body has a right to disagree with the Supreme Court on some of its outrageous decisions. We also have a right and the authority to try to do something about it.

I do not mind the smears. This is my fight. I have no more stake in this than does any other Senator. I have no more to lose or to gain than any other Senator. Perhaps I have less to gain, because I may not be running for office as long as some other Senators. Thus, it is not a matter of a personal vendetta against the Supreme Court, or of personal feeling. It is crucial to the peace and tranquility of America. It is crucial to law enforcement. It is imperative that the current trends be reversed. Law and order in America cannot be restored unless we restore that procedure and that quality of justice which prevailed in this country for so long which kept down the crime rate.

Mr. President, all you have to do to satisfy yourself, or anyone else, is to take the chart of crime increase in this country and see what the impact has been since the decisions were rendered by the Supreme Court when it began amending the Constitution to conform to the theories of sociologists instead of interpreting the Constitution according to the precedents which had been established by their predecessors, and when we departed from that and began traveling downhill along a dangerous road.

At this hour, at this session, Congress will have the opportunity to do something about it, to try to restore the processes of judicial procedure which kept our citizens safe from the lawless element—from the criminal who had the inclination to engage in barbaric crimes.

Ah, Mr. President, we hear a lot about poverty, that poverty is the cause of it all.

Mr. President, poverty never gave any man an excuse to murder.

Poverty never gave any man an excuse to rob a bank by force of arms.

Poverty never gave any man an excuse to attack an old lady on the street and jerk her purse away from her.

Poverty never gave a criminal with animal instincts the right to rape and ravish at will and with impunity.

Is poverty an excuse for all that?

Had poverty been an excuse, and had it been tolerated as an alibi for the crimes we witness today in America, I wonder how America could have survived until now when, in the past, there was much, much more poverty than there is at present.

How did our country survive?

We have less poverty today. We are the most affluent country in the world. We have less poverty than ever before. Yet, poverty is used by some as an alibi and excuse to condone the increasing number of crimes occurring in our country.

Mr. President, last Friday, I referred to the number of communications I have received during the past few days from concerned citizens about the growing lawlessness in America and the laxity of officials responsible for enforcing and maintaining law and order. At that time, I read excerpts from a cross-section of 65 of these communications from people in 16 different States. Today's sample includes statements from people in some of those States as well as others.

These people are concerned, Mr. President. Many are outraged—and most are frightened. All of them want action.

A man in Westfield, N.J., writes:

I, too, want to preserve this country, and I believe the great majority of our citizens have the same interest. We can only hope that this fact is somehow communicated to the serious Presidential candidates now on the scene—and that out of the upcoming elections we will obtain the necessary leadership to get America back on the rails.

A secretary in Jenkintown, Pa., who has felt the tragic horror of a heinous crime, writes:

May I just add another small voice to your campaign to again have America as the country of the people, by the people, and for the people.

The terrible inequities now expounded by our judiciary are the most awful threat to our citizens that I can imagine. We are the God-parents of a 16-year old girl who was just abducted and murdered. For her parents' sake, I almost wish they would not catch the filthy beast who committed this crime, for we are all certain that, because of the ridiculous changes to our laws, Candy will be the one who is tried and denounced, even after death, instead of her killer being punished severely enough to show that justice still is an American way and to perhaps deter others from perpetrating like crimes.

I pray for your success in all your endeavors to bring America back to its high standards and the good old-fashioned American justice—to protect the innocent, not shield the guilty, will again be the way of life for my children and theirs.

A group of concerned citizens in a Philadelphia neighborhood sent me a copy of an article headed: "Court Coddles Criminals, Says Senator McCLELLAN," and alongside the article, these people had written simply: "Good for you. You have our wholehearted support." Beneath that terse assurance, Mr. President, 53 citizens had taken the time and trouble to sign their names.

A resident of Baltimore writes:

I support you implicitly in your efforts to right the wrongs of the Supreme Court. I believe the time is long overdue where the Courts in this great country of ours should stop favoring criminals.

A gentleman from Lowell, Mass., writes:

I find myself in complete agreement with you on the need for a crime control bill. Several past Supreme Court decisions leave a lot to be desired, especially in this area of crime control.

A couple from nearby Arlington, Va., write:

Surely there can be a stop to the lawlessness that is going on in this country.

Mr. and Mrs. Herman T. Bauer write from Maryland:

We agree with your stand and feel that the Supreme Court has been coddling criminals long enough.

A retired police lieutenant from Connecticut expresses great concern over the rising tide of lawlessness and offers the following recommendation:

Following is a suggestion that I think may help our chances to enforce law and order which we know is so important to the future of our country. I suggest that every honorably retired police officer of sound mind and body be not only allowed but encouraged to be armed at all times and make his badge all the authority he needs to be armed. I am sure that these retired men, or at least 90% of them, would be willing and happy to serve in any emergency without pay in the area in which they live.

I think that suggestion ought to be further explored, Mr. President, and I thank Mr. Paul M. Berg, Sr., for submitting it.

A farmwife from Michigan writes:

Let's get tough and give the police more aid instead of criticism and give the decent law abiding people some peace of mind and freedom from fear.

A lady from Kentucky, who signs her letter "just a farmwife," writes:

We—the people—who are at home who pay taxes and more taxes for schools—welfare—housing and poverty, etc., are heart-sick over conditions and are feeling hopeless and have lost faith in government officials, are grateful to you for your efforts against crime.

From Glendale, Calif., a Mr. Post writes:

I have just finished reading about the Title II of the Safe Streets and Crime Control Bill. This seems like the long sought answer to the prayers of many people. I wish to add my voice to what I am sure is the overwhelming desire of the American people.

A Waynesville, Ohio, woman writes:

Just read an article in our local paper where you were pushing for Senate passage of a crime control bill that would supersede several controversial Supreme Court decisions. Your accusation that the Supreme Court was coddling criminals, is a hundred percent right. Under our present laws, a person can be murdered in cold blood, and if the arresting officer fails to inform them of their rights, the judge will turn them loose. This very thing happened recently around here. With all the crime going on today, it is not safe for a woman to be on the streets. Something must be done. Little wonder that crime is increasing, the criminal hasn't nothing much to fear. Little wonder our police force are throwing up their hands and quitting by the thousands they have no backing.

Mr. Jack A. Turner from Beaumont, Tex., writes:

Thank you for your bill to prevent crime. The Supreme Court and the Administration are doing things to our great country that should not be done.

An Ohio man writes:

I want something done about crime and riots! Everyday I go to work thinking about my home and family. Judges just slap the hands of rioters and release other types of criminals on technicalities.

Incidentally, Mr. President, this man adds, almost pathetically, the following postscript:

Could we have a little prayer in schools—maybe even a salute to the flag each morning?

Those are the days I would like to return to—when there was reverence for law and respect for authority; when we instilled in the youth of the land a respect for divinity, for the divine, for the parents, for the teachers, and for the law-enforcement officials.

The Reverend William C. Huddleston, pastor of the Trinity Baptist Church in El Dorado, Ark., writes:

Our church wishes to endorse your proposed legislation for making the streets of our cities safer. . . . We commend your action in this matter.

Mr. President, last Friday I placed in the RECORD 22 telegrams that I had received from downtown business people in Washington. I have three more here today that came the next day, which I did not get to put in the RECORD; and I ask unanimous consent that these telegrams be placed in the RECORD.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

CARR'S JEWELERS,

Washington, D.C., May 11, 1968.

Senator JOHN L. McCLELLAN,
Senate Office Building,
Washington, D.C.

I feel I can speak in behalf of the entire community. I as a downtown merchant strongly urge the President or a subordinate to immediately make public announcements that law and order will be upheld in Washington by whatever means required and that stringent enforcement measures be used.

LOUIS E. NYBERG,
President.

TREASURE TROVE, INC.,

Washington, D.C., May 11, 1968.

Senator JOHN L. McCLELLAN,
Senate Office Building,
Washington, D.C.

In the interest of the entire community, I, as a downtown merchant, strongly urge that the President and other high officials

immediately make frequent public announcements that law and order will and must be upheld in the Nation's Capital by whatever means required. Every citizen must be made aware of their responsibilities in this urgent matter.

JEROME BRODER,
President.

VIJ SHOPS,
Washington, D.C., May 10, 1968.

Senator JOHN L. McCLELLAN,
Senate Office Building,
Washington, D.C.

In the interest of the entire community, I, as a downtown Washington businessman, strongly urge that the President or other high authority immediately make frequent public announcements condemning acts of violence; that law and order will be upheld in the National Capital by whatever means required, and that appropriate enforcement measures be taken now.

A. GILDER,
President.

Mr. McCLELLAN, Mr. President, I have a number of other editorials and letters that I want to insert in the RECORD. As soon as I can arrange them, either this afternoon or tomorrow, I will offer them for the RECORD.

I want to say this: I do not think I am mistaken. The American people are frightened, they are disturbed, they are losing confidence in the ability of government to protect them. It is a very disquieting thought when the American people begin to feel that way. I am trying to champion their right here today—their right to be protected, to pass laws and to enforce the laws, to protect the innocent as well as to provide justice for the accused.

Mr. President, I yield the floor.

EXHIBIT 1

[From U.S. News & World Report,
May 6, 1968]

HOW TO FIGHT A DOMESTIC WAR (By David Lawrence)

Never before in the history of the United States have the people been confronted with such a threat to their safety in the cities as we are witnessing today.

The official figures from 76 cities show that 46 persons were killed in a few days in the riots which erupted after the assassination of Dr. Martin Luther King, Jr., on April 4. More than 2,500 were injured, and approximately 21,000 were arrested. Disturbances actually broke out in more than 100 cities, but the national statistics of all the losses have not yet been compiled.

Also, in the Detroit outbreak last July, there were 43 deaths, and in the same month 23 were killed in riots in Newark, N.J.

Many a college campus from coast to coast has been the scene of violence. A few days ago students seized the office of the President of Columbia University, and similar rebellions occurred in several other universities.

Apparently the impulse to create havoc is infectious. Its spread is plainly due to the failure of established authority to promptly impose discipline so as to deter further attempts to defy the law.

Police chiefs throughout the country find themselves calling for State militia. Governors are faced with a situation so menacing that they have to ask for the aid of federal troops. Meanwhile, the riots reach massive proportions, and the damage is extensive. Fires are set and snipers boldly support the rioters. There is no doubt that in most instances the arsonists work in cooperation with the looters. Persons with criminal records are often noted on the lists of arrests.

Basically, many of the rioters have lost all

respect for "law and order," and are taking advantage of the softness of governing authorities. When "marches" and "demonstrations" first began, and the police used normal methods of control, charges of "police brutality" were heard. A continued propaganda movement has since been carried on against the police generally.

As a tense situation arises anywhere, local authorities who refuse to grant permits for street gatherings related to highly controversial subjects should not be restrained by the courts. There are plenty of auditoriums and stadiums where such discussions can be carried on in a lawful manner. Nothing in the Constitution says that freedom of speech means the right to incite persons to destroy lives or property.

The main problem nowadays is how to apply force and prevent violence when the disorders start or mobs gather. Some police chiefs are even hesitant to utilize tear gas or to let guns be used to quell disturbances.

Recently a debate has been going on in the press between the mayors of various cities, some of whom declare that it is wrong to shoot at arsonists or looters to deter them. Others say that the intention to use force must in some way be made clear to the mobs if they are really to be prevented from inflicting serious injury. Certainly resistance to arrest can be dealt with forcibly.

Various public officials have been advocating a gentle handling of riots and restrictions on the use of force, even though criminal elements are stimulated to rob and loot. The impression has been conveyed that the authorities would be "soft" and that thievery could go on with little interference and without much risk of punishment. There have been too many cases of vandalism while police were nearby. If the impression develops throughout the big cities that looting can be done with relatively little chance of its being stopped by police, an even greater loss of life and property could ensue in the future.

It is evident that the police are in many instances not instructed in how to deal with rock-throwing, arson and looting. The uprisings often develop in different parts of a city, and an adequate number of officers of the law is not at hand to squelch the disturbances.

The time has come for the Federal Government to take the initiative and help coordinate the police operations of the States and cities. For obviously the disorders are instigated across State lines and are in large part a federal as well as a local problem. Occasional seminars are not enough. The crime wave in a growing population cannot be handled without more police and some form of national supervision.

If federal authorities were required to train the police force and to issue beforehand public announcements of the methods that would be taken to deal with riots, the irresponsible elements would not be likely to risk a defiance of the law.

The problem of communication is vital—how to let the people in the crowded neighborhoods of the big cities know that a riot can be dangerous and that the police will not hesitate to apply maximum force if violence breaks out. Not only must notice of an intention to use drastic measures be given in advance and widely publicized in the communities, but rigid discipline must be applied when disorder becomes manifest.

Insurrection should be handled on a national basis. There is no need for a police state, but there is every need for national security and safety.

EXHIBIT 2

[From the Dearborn Guide, May 2, 1968]

ARCHIE MOORE SEES SELF-HELP

(By Ray Vernon)

Fortunately for America the Negro community of this country is not made up en-

tirely of Stokely Carmichaels, Rap Browns and other black militants.

There are people like Archie Moore, the former light heavyweight champion of the world. Moore came up out of the worst slums of St. Louis and today he has the respect of every man who ever met him.

The following tells what kind of man Archie Moore is:

"The devil is at work in America, and it is up to us to drive him out. Snipers and looters, white or black, deserve no mercy. Those who would profit from their brother's misfortunes deserve no mercy, and those who would set fellow Americans upon each other deserve no mercy.

"I'll fight the man who calls me an 'Uncle Tom.' I have broken bread with heads of state, chatted with Presidents and traveled all over the world. I was born in a ghetto, but I refused to stay there. I am a Negro, and proud to be one. I am also an American, and I'm proud of that.

"The young people of today think they have a hard lot. They should have been around in the '30s when I was coming up in St. Louis. We had no way to go, but a lot of us made it.

"I became light heavyweight champion of the world. A neighbor kid down the block, Clark Terry, became one of the most famous jazz musicians in the world. There were doctors, lawyers and chiefs who came out of that ghetto. One of the top policemen in St. Louis came from our neighborhood.

"We made it because we had a goal, and we were willing to work for it. Don't talk to me of your 'guaranteed national income.' Any fool knows that this is insanity. Do we bring those who worked to get ahead down to the level of those who never gave a damn? The world owes nobody—black or white—a living. God helps the man who helps himself.

"Now then, don't get the idea that I didn't grow up hating the injustices of this world," Archie Moore continued. "I am a staunch advocate of the Negro evolution for the good of mankind. I've seen almost unbelievable progress made in the last handful of years. Do we want to become wild beasts bent only on revenge, looting and killing and laying America bare? Hate is bait, bait for the simple-minded.

"Sure, I despised the whites who cheated me, but I used that feeling to make me push on. If you listen to the professional rabble-rousers, adhere to this idea of giving up everything you've gained in order to revenge yourself for the wrongs that were done to you in the past—then you'd better watch your neighbor, because he'll be looting your house next. Law and order is the only edge we have. No man is an island.

"Granted, the Negro still has a long way to go to gain a fair shake with the white man in this country. But believe this: If we resort to lawlessness, the only thing we can hope for is civil war, untold bloodshed, and the end of our dreams.

"We have to have a meeting of qualified men of both races. Mind you, I said qualified men, not some punk kid, ranting the catch phrases put in his mouth by some paid hate-monger.

"There are members of the black community who call for a separate nation within America. Well, I do not intend to give up one square inch of America. I'm not going to be told I must live in a restricted area. Isn't that what we've all been fighting to overcome? And then there is the element that calls for a return to Africa.

"For my part, Africa is a great place to visit, but I wouldn't want to live there. If the Irishmen want to go back to the Emerald Isle, let them. If the Slavs want to return to the Iron Curtain area, OK by me. But I'm not going to go to any part of Africa to live. I'm proud of ancestry, and of the country that spawned my forefathers, but I'm not giving up my country. I fought all my life to give my children what I'm able to give them

today: a chance for development as citizens in the greatest country in the world.

"I do not for a moment think that any truly responsible Negro wants anarchy," Archie Moore went on. "I don't think you'll find intelligent—no, let's rephrase that—mature Negroes running wild in the streets or sniping at total strangers. God made the white man as well as the black. True, we haven't acted as brothers in the past, but we are brothers. If we're to be so many Calms and Abels, that's our choice. We can't blame God for it.

"If some bigot can misguide, then I can guide. I spent too much of my life building what I've got to put it to torch just to satisfy some ancient hatred of a man who beat my grandfather.

"Those men are long dead. Do we have to choke what could be a beautiful garden with weeds of hate? I say no! And I stand ready to start 'Operation Gardener.' I invite the respected Negro leaders of our country to join me."

Archie Moore has had tremendous success with a program he started called ABC—Any Boy Can. He has sought to teach youngsters of all colors what dignity, self respect and honor are. He has helped stamp out juvenile delinquency in many places.

For his remarks Archie Moore deserves a vote of thanks from his fellow Americans—black and white.

EXHIBIT C

[From the Baltimore (Md.) Daily Record, May 1, 1968]

RECENT INSURRECTION LENDS SARDONIC NOTE TO NATIONAL IMAGE OF OBSERVANCE

(By Rignal W. Baldwin, president, Maryland State Bar Association)

The steady increase of crimes of violence, including ruthless assassinations, now capped by the recent eruptions of senseless arson, looting, riot and insurrection, have made a mockery of our national image of a democracy governed under law and order. As a consequence, Law Day U.S.A. this May 1, 1968, takes on a sardonic note.

How can we say to the world that the United States stands for law and order in the face of the uncontrolled lawlessness which we tolerate today? The plain truth is that we cannot. Hence, the usual platitudinous statements relating to Law Day U.S.A. and World Peace Through Law will have this year a hollow and mocking tune. My view is that we must face up to the situation and act accordingly.

The truth is we have emerged today as a Nation that does not stand for law and order but for violent lawlessness. I raise the question of how and why have we come to such a situation? I believe that it largely began when a few of our self-appointed "leading citizens" took it into their own hands to decide which of our laws were right and which were wrong, and then not only to preach, but to act, calculated, intentional and publicized disobedience of those laws. True, they started in small and relatively innocuous ways, such as trespassing instead of legal picketing which has been our traditional democratic means of protest. But they set an example—an example to the young, the impulsive, the ignorant and the mob, as well as to other such "leaders". These, in their turn, decided which laws they disagreed with and went on from trespass and violation of property rights to infractions involving minor violence, such as college sit-ins and various obstructions of the draft. From such beginnings the original precept has led to crimes of real violence.

The obvious antidote to lawbreaking in all forms—whether mere trespass, sit-downs in the dean's office, interference with the draft—or yoking, robbery, rape and murder—or riot, arson, looting and insurrection—is swift and certain law enforcement in the

form of just penalties that stick and must be paid. But we don't have it. The police are hobbled in their efforts either by extremes of protection for the lawbreaker imposed by our Courts, or by those who directly control them. And contemporaneously with—I believe a major cause of the alarming increase in all forms of lawlessness, our Courts have afforded far reaching and often unrealistic protections and escapes to such lawbreakers.

Judge Warren E. Burger, of the D.C. Court of Appeals, recently stated that we have developed a system of criminal justice "in which it is often very difficult to convict even those who are plainly guilty." He said that no other nation tolerates criminal trials so long delayed after arrest, permits such long trials, endless appeals and retrials, and affords such extremes of procedural protections such as exclusion of incontrovertible evidence and dismissals for technical irregularities. Judge Burger goes on to say that "if people generally—law abiding and lawless alike—think the law is ineffective two serious impacts occur: The decent people experience a suppressed rage, frustration and bitterness, and the others feel that they can 'get by' with anything. Many people, even though not all, will be deterred from serious crime if they believe that justice is swift and sure. Today no one thinks that."

Part of the present problem is disclosed by the attitude of those who wrote the February 1967 "Report By The President's Commission On Law Enforcement and Administration Of Justice". This telephone book size pictorial publication, written chiefly by its professional staff (according to statements to me by two members of the Commission), stresses such collateral problems as delinquency, sentencing, probation, penology, police training and the condition of the underprivileged, with relatively little emphasis on law enforcement. A minority of the Commission, comprised of three former A.B.A. Presidents (Lewis F. Powell, Ross L. Malone and Robert G. Storey) and Leon Jaworski, present Chairman of the A.B.A. Special Committee on Crime Prevention and Control, joined by the District Attorney of Boston, the Attorney General of California and the Chief of Police of San Francisco, wrote a separate report, originally designated a "dissent". Their thesis was the statement of Chief Judge J. Edward Lumbard, of the Second Circuit, Chairman of the A.B.A. "Special Committee on Minimum Standards For the Administration of Criminal Justice"—"We are in danger of grievous imbalance in the administration of criminal justice * * *". Starting with that premise they advocated in restrained language legislation to moderate the more unrealistic effects of the *Miranda*, *Escobedo* and *Crooker* cases so that police can apprehend and courts can convict at least the plainly guilty. But the majority of the Commission (including such notable members of the bar as Kingman Brewster, Herbert Wechsler, Genevieve Blatt and Luther W. Youngdahl) took no note whatever of these suggestions. And in an all day "Lawyers Conference on Crime Control" on May 13, 1967, presided over by Professor Vorenberg, the Commissioner's Executive Director, and Assistant Attorney General Fred M. Vinson, Jr., and addressed by Attorney General Ramsey Clark, this minority report was completely ignored.

In this connection Judge Burger has said—"Neither the laws nor the Constitution are too sacred to change—we have changed our Constitution many times—and the decisions of judges are not holy writ. These things are a means to an end, not an end in themselves. They are tools to serve you, not to enslave you."

But what can be done now to control violent crime even without the obviously desirable balancing reforms suggested? While there is no complete answer, I believe that much can be done by a courageous judiciary which enforces the law swiftly and certainly, following its conscience and the decent pre-

cepts of morality. When in the sure conviction that right is right and wrong is wrong, our judges should apply the law and its penalties sternly to the "plainly guilty", even in the face of the possibility that appellate judges, who "tend to fall in love with procedures, techniques and formalism" (Judge Burger), might reverse. Chief Judge Lumbard told me personally that our courts should never go one inch further in the imbalance direction than existing decisions absolutely compel. We have had too much Friday morning quarterbacking of the Monday morning decisions of the Supreme Court. Our Courts, particularly our trial Courts, must get on with their primary duty of enforcing the law swiftly, surely and fearlessly as a deterrent to crime as well as enforcing equally the civil law, including civil rights legislation. And they should give at least as much consideration to the innocent victims of crime and to a dismayed public as to constitutional protections due even the plainly guilty criminal. I have just observed the Municipal and Criminal Courts of Baltimore City give a splendid example of impartial and swift law enforcement in dealing with the recent deluge of riot cases. This, I feel, went far toward reinstating the "Law Day U.S.A." concept as a reality.

Mr. MCINTYRE. Mr. President, I rise to voice my support for a strengthened title IV to the Omnibus Crime Control and Safe Streets Act now under consideration by the Senate. As a representative of the great State of New Hampshire, where the use and enjoyment of guns for legitimate sporting purposes is most popular and widespread, I feel I must comment upon my views in this regard to make my position clear.

First, let me state that the need for the handgun controls contained in the bill as reported by the Judiciary Committee is well recognized; the problems that the concealed weapons raises for an ordered society are apparent. So, too, is the need for regulation of destructive devices such as bazookas, antitank guns, rockets, hand grenades, and the like. I am, however, also concerned about the longgun, for although there are vast legitimate uses of such firearms for recreational and sporting purposes, they nevertheless remain deadly weapons. Moreover, criminal elements can all too readily convert any longgun into a concealed weapon, as in the case of sawed-off shotguns.

It is not my intention to vote for any measure which would prohibit anyone from owning a rifle or a shotgun, or which would affect one's use of such firearms, or prohibit the movement of any longgun from one State to another. It is instead, the uncontrolled interstate mail order traffic in firearms, including rifles and shotguns, with which I am concerned, and the ease with which criminals, irresponsible persons, and even young children, without their parents' consent, may acquire such weapons.

The record of discussions here in the Senate over the past few days is replete with compelling statistics which bespeak the need for enactment of a comprehensive gun control law. It is significant that these statistics include the fact that rifles and shotguns account for approximately 30 percent of all firearms homicides in this country, and that 22 percent of the police officers killed by criminals in this country between 1960 and 1965 were killed with rifles or shotguns.

Amendment No. 741 to the Safe Streets and Crime Control Act, submitted by the distinguished junior Senator from Maryland, makes a modest effort to control the longgun traffic in America; I intend to support this amendment. As the Senator from Maryland has explained, the amendment does not affect intrastate sales of rifles or shotguns in any way, nor does it prohibit any person from visiting a neighboring State and buying a rifle or shotgun over the counter, or for that matter transporting his new purchase home with him if he is so inclined to do. The amendment simply prohibits a person from mail ordering a rifle or shotgun without appearing at the business premises of a dealer, either at the time the order is placed, or at the time the weapon is received. This is a very small inconvenience indeed, a very small price to pay to close the channels of interstate commerce to illegitimate purchasers and those who would willingly attempt to subvert existing State gun control laws.

The second thing the amendment does is to prohibit the sale of rifles and shotguns by dealers to juveniles under 18 years of age. Under this amendment a parent can even give a rifle or shotgun to his child should he desire to do so but federally licensed gun dealers will not sell rifles or shotguns to children. Under the amendment even if a person is not a federally licensed dealer he can sell or give a rifle or shotgun to a nonresident friend, so long as the friend would be permitted to receive it under the law of his residence, and there is no requirement in this amendment for anyone to register any firearm which he now owns or which he may acquire in the future.

Again, this is a modest control regulation; its requirements create no real hardships, yet it may go a long way toward making our land a safer place in which to live, and for that reason I urge its acceptance.

AMENDMENT NO. 710

Mr. BYRD of West Virginia. Mr. President, I call up amendment No. 710 and ask for its immediate consideration.

I ask unanimous consent that the names of the able Senator from Iowa [Mr. MILLER] and the able senior Senator from Virginia [Mr. BYRD] be added as cosponsors of my amendment, No. 710.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will read the amendment.

The legislative clerk read amendment No. 710, as follows:

On page 107, between lines 4 and 5, insert the following new title:

"TITLE V—DISQUALIFICATION FOR ENGAGING IN RIOTS AND CIVIL DISORDERS"

"SEC. 1001. (a) Subchapter II of chapter 73 of title 5, United States Code, is amended by adding immediately after section 7312 the following new section:

"§ 7313. Riots and civil disorders"

"(a) An individual convicted by any Federal, State, or local court of competent jurisdiction of—

"(1) inciting a riot or civil disorder; "(2) organizing, promoting, encouraging, or participating in a riot or civil disorder; "(3) aiding or abetting any person in committing any offense specified in clause (1) or (2); or

"(4) any offense determined by the head of the employing agency to have been committed in furtherance of, or while participating in, a riot or civil disorder;

shall, if the offense for which he is convicted is a felony, be ineligible to accept or hold any position in the Government of the United States or in the government of the District of Columbia for the five years immediately following the date upon which his conviction becomes final. Any such individual holding a position in the Government of the United States or the government of the District of Columbia on the date his conviction becomes final shall be removed from such position.

"(b) For the purpose of this section, 'felony' means any offense for which imprisonment is authorized for a term exceeding one year."

"(b) The analysis of chapter 73 of title 5, United States Code, immediately preceding section 7301 of such title, is amended by striking out the analysis of subchapter II and inserting in lieu thereof the following:

"SUBCHAPTER II—EMPLOYMENT LIMITATIONS"

"Sec.

"7311. Loyalty and striking.

"7312. Employment and clearance; individuals removed from national security.

"7313. Riots and civil disorders."

"(c) The heading of subchapter II of chapter 73 of title 5, United States Code, immediately preceding section 7311 of such title, is amended to read as follows:

"SUBCHAPTER II—EMPLOYMENT LIMITATIONS"

"SEC. 1002. The provisions of section 1001 (a) of this title shall apply only with respect to acts referred to in section 7313(a) (1)–(4) of title 5, United States Code, as added by section 1001 of this title, which are committed after the date of enactment of this title."

On page 107, line 5, strike out "TITLE V" and insert in lieu thereof "TITLE VI".

On page 107, line 6, strike out "SEC. 1001" and insert in lieu thereof "SEC. 1101".

Mr. BYRD of West Virginia, Mr. President, I ask unanimous consent that time on this amendment be limited to 20 minutes, to be equally divided between the majority and minority leaders.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. BYRD of West Virginia, Mr. President, I ask unanimous consent that the Senator from Delaware [Mr. WILLIAMS] be permitted to speak for 5 minutes on another matter, and that the time not be charged against the time on the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

TAX DELINQUENCIES

Mr. WILLIAMS of Delaware, Mr. President, today I am filing the 14th annual report of tax delinquencies.

At first glance this inventory shows that the active and inactive delinquent accounts in 1967 totaled \$1,398,623,000 as compared with \$1,416,193,000 in 1966, or a reduction of \$17,570,000. Employment tax delinquencies dropped from \$312,636,000 in 1966 to \$255,768,000 in 1967, but this does not tell the full story.

Apparently the Treasury Department is operating three sets of books, each dealing with delinquent tax accounts.

One report, the figures referred to above, is classified as the active and inactive tax delinquencies, but in addition to the amount included in the above item the Treasury Department in 1967 transferred a total of \$347,100,000 to a second account classified as taxpayer delinquent accounts reported as uncollectible. In addition to these two accounts the Treasury Department reports a third account listing abatements in 1967 as totaling \$213,793,000.

I am advised that the first account—classified as active and inactive delinquencies—is the cumulative total but that the amounts referred to in the second and third accounts are not cumulative totals but represent transfers in calendar year 1967 only.

I see no purpose that can be served from such a multiple bookkeeping system other than to confuse the American taxpayers and to enable the agency to make what appears on the surface to be a better report as to its efficiency in collecting taxes.

These annual reports which I have been submitting to the Senate were intended and should have included the total tax delinquencies for the calendar year. These tax delinquencies should be reported by the Treasury Department as one grand total and then supplemented by any breakdown they deem necessary.

It is rather ironic to find the Treasury Department, a Department which keeps insisting that every American taxpayer operate with but one set of books and which prosecutes this taxpayer if he does otherwise, now using a multiple bookkeeping system when submitting its own annual report to the American taxpayers.

Next year I shall expect a consolidated report with one grand total showing all delinquent tax liabilities regardless of classification. I am not interested in the excuse or explanation that the statistics are all in their report if one will take the time to search through the various charts and accounts. They would not accept such an excuse from a taxpayer.

The following is a report of all three accounts in each of the various offices:

Albany, N.Y.: The active and inactive tax delinquencies jumped 44 percent, or from \$9,801,000 in 1966 to \$14,195,000 in 1967. This item includes employment tax delinquencies which show a decline in 1967 of 15 percent, or from \$4,265,000 in 1966 to \$3,598,000 in 1967. During this same period, however, Albany transferred to its second account, delinquent taxes classified as "uncollectable," the amount of \$780,000 and then abated an additional \$628,000.

Augusta, Maine: Its first category of total tax delinquencies dropped from \$2,507,000 in 1966 to \$2,460,000 in 1967, or a reduction of 2 percent. Employment tax delinquencies, which are a part of this account, dropped 57 percent, or from \$679,000 in 1966 to \$292,000 in 1967. Augusta transferred \$266,000 to its second account, marked "uncollectable," and then abated \$316,000.

Boston, Mass.: Tax delinquencies classified as active and inactive jumped 40 percent, from \$32,849,000 in 1966 to \$46,143,000 in 1967. This represents an all-time high for the past 14 years. Employment tax delinquencies, which were included in this group, rose 35 percent, from \$9,106,000 in 1966 to \$12,390,000 in 1967, but in addition, Boston transferred to "uncollectable accounts" an additional \$2,943,000 and abated \$5,720,000.

Brooklyn, N.Y.: Under this modern accounting procedure Brooklyn's active and inactive tax delinquencies show a reduction of 5 percent from \$93,868,000 in 1966 to \$89,287,000 in 1967. Employment tax delinquencies, which are a part of these records, dropped 10 percent, from \$26,896,000 last year to \$24,000,000 in 1967.

During this same year, however, Brooklyn transferred to its second accounts classified as "uncollectable" a total of \$32,354,000 while at the same time it abated another \$8,572,000.

Buffalo, N.Y., reported active and inactive tax delinquencies as totaling \$18,206,000 in 1967 as compared to \$19,344,000 the previous year, or a decrease of 6 percent. It reported employment tax delinquencies as having increased 5 percent, from \$4,743,000 to \$4,982,000. But in arriving at these figures Buffalo transferred to its uncollectable accounts \$2,719,000 and abated or wrote off another \$4,382,000.

Burlington, Vt.: Its standard report including active and inactive delinquent accounts rose 37 percent, or from \$995,000 in 1966 to \$1,367,000 in 1967. It reports employment tax delinquencies as rising 9 percent, which represents a new high for the 14-year period, or an increase from \$381,000 in 1966 to \$415,000 last year. During this same year, 1967, Burlington transferred to its uncollectable delinquent accounts a total of \$133,000 and abated an additional \$232,000.

Hartford, Conn., reports an increase of 8 percent in employment tax delinquencies, or from \$3,870,000 in 1966 to \$4,183,000 in 1967. It reports its total for active and inactive accounts—which includes employment taxes—as having increased 156 percent over the preceding year, or from \$11,295,000 in 1966 to \$29,011,000 in 1967. This is a record high for the 14-year period. In addition, Hartford transferred a total of \$846,000 to its delinquent account report which are classified as uncollectable. Abatements totaled \$2,533,000 during the same year.

Manhattan, N.Y.: At first glance this office shows progress with a decrease in delinquent employment taxes of 23 percent, or from \$40,104,000 in 1966 to \$30,611,000 in 1967. It reports its total of active and inactive tax delinquencies as having decreased 23 percent, or from \$235,442,000 in 1966 to \$181,633,000 in 1967. To arrive at these figures, however, the Manhattan office last year transferred to its account No. 2, classified as uncollectable, a total of \$87,673,000, and in the same period it abated an additional \$27,260,000.

Portsmouth, N.H.: This office reports an encouraging decrease of 37 percent in its delinquent employment taxes, or a reduction from \$767,000 in 1966 to

\$479,000 in 1967. It reports total active and inactive tax delinquencies as increasing 3 percent, or from \$1,530,000 in 1966 to \$1,587,000 in 1967. This office likewise transferred to accounts classified as uncollectable delinquencies a total of \$398,000 and then abated an additional \$153,000.

Providence, R.I., reports a 40-percent increase in its total for active and inactive tax delinquencies, or a jump from \$3,010,000 in 1966 to \$4,238,000 in 1967. It reports its employment tax delinquencies, which are included in this same group, of having dropped 10 percent or from \$1,561,000 in 1966 to \$1,396,000 in 1967. In 1967 this office transferred to its accounts classified as uncollectable delinquencies a total of \$1,100,000 and abated an additional \$541,000.

Baltimore, Md., reports a 5-percent increase in its total for active and inactive tax delinquencies, or an increase from \$33,370,000 in 1966 to \$35,143,000 in 1967. Delinquent employment taxes for this office show a reduction of 1 percent, or from \$6,261,000 in 1966 to \$6,198,000 in 1967. During this same period the Baltimore office transferred to its uncollectable delinquent accounts a total of \$4,884,000 and abated an additional \$4,871,000.

Newark, N.J., reports very little change in its total of active and inactive tax delinquencies and its employment tax delinquencies. Employment tax delinquencies are reported as \$13,381,000 in 1967 as compared with \$13,843,000 in 1966, while the total for this category are reported as \$61,511,000 in 1967 and \$62,622,000 in 1966, reductions of approximately 3 percent and 1 percent, respectively. During this same calendar year this office transferred to accounts classified as uncollectable delinquent taxes a total of \$9,040,000 and then abated an additional \$12,249,000.

Philadelphia, Pa., reports a decrease of 10 percent in its employment tax delinquencies, or a reduction from \$10,437,000 in 1966 to \$9,335,000 in 1967. It reports an increase of 10 percent in its total for active and inactive tax delinquencies or an increase from \$42,777,000 in 1966 to \$47,253,000 in 1967. The Philadelphia office in 1967 transferred to its accounts classified as uncollectable delinquencies a total of \$5,622,000 and abated an additional \$6,644,000.

Pittsburgh, Pa., turns in a good report considering its employment tax delinquencies and its totals for active and inactive delinquencies. Its employment tax delinquencies dropped 23 percent, or from \$6,228,000 in 1966 to \$4,772,000 in 1967. Its total tax delinquencies in this category dropped 17 percent, or from \$19,936,000 in 1966 to \$16,459,000 in 1967. But to get this good report this office in 1967 transferred to its accounts classified as uncollectable delinquencies a total of \$2,448,000 and abated an additional \$5,729,000.

Richmond, Va.: Employment tax delinquencies are reported as having increased 1 percent, which represents a new 14-year high for this office. Employment tax delinquencies rose from \$3,856,000 in 1966 to \$3,904,000 in 1967 while its total active and inactive tax

delinquencies declined 27 percent or from \$19,076,000 in 1966 to \$13,922,000 in 1967. The Richmond office transferred to its second account, classified as uncollectable delinquent taxes, a total of \$1,960,000 and then abated an additional \$6,942,000.

Wilmington, Del.: Employment tax delinquencies in this office are reported as increasing 19 percent, from \$436,000 in 1966 to \$520,000 in 1967, while its total for active and inactive tax delinquencies dropped 15 percent, or from \$3,984,000 in 1966 to \$3,391,000 in 1967. This office transferred to its account classified as uncollectable delinquencies a total of \$298,000, and it abated an additional \$2,860,000 during the same year.

Atlanta, Ga.: This office reports a reduction in its employment tax delinquencies of 35 percent, or from \$4,446,000 in 1966 to \$2,855,000 in 1967. It also reports a reduction of 25 percent in its total active and inactive tax delinquencies, or from \$18,610,000 in 1966 to \$13,942,000 in 1967. In 1967, however, this office transferred \$4,828,000 to its accounts classified as "uncollectable" delinquencies and then abated an additional \$4,404,000.

Birmingham, Ala.: This office likewise rendered what at first appears to be a good report. Its total active and inactive tax delinquencies dropped 18 percent, or from \$11,758,000 in 1966 to \$9,656,000 in 1967. Employment tax delinquencies, which are a part of this same category, are reported as having declined 50 percent, or from \$3,440,000 in 1966 to \$1,715,000 in 1967. The above statistics, however, do not include the \$4,560,000 which were transferred to accounts classified as "uncollectable" tax delinquencies nor the \$3,109,000 which were abated the same year.

Columbia, S.C., likewise renders a good report when we consider its first category. Its total in active and inactive tax delinquencies is reported as having declined 22 percent, or from \$8,794,000 in 1966 to \$6,869,000 in 1967. Employment tax delinquencies, which are a part of this same group, are reported as having declined 52 percent, or from \$2,277,000 in 1966 to \$1,076,000 in 1967. The Columbia office, however, transferred to its accounts classified as "uncollectable" delinquencies a total of \$1,903,000 and then abated \$1,286,000 additional.

Greensboro, N.C.: This office reports a 20 percent reduction in its total active and inactive tax delinquencies, or a decline from \$15,632,000 in 1966 to \$12,406,000 in 1967. It reports its employment tax delinquencies, which are a part of this same group, as having dropped 35 percent, or from \$3,163,000 in 1966 to \$2,054,000 in 1967. The Greensboro office in 1967 transferred to its accounts classified as uncollectable delinquencies a total of \$3,027,000 and abated an additional \$4,679,000.

Jackson, Miss., reports a 24 percent reduction in its total active and inactive tax delinquencies, or from \$5,891,000 in 1966 to \$4,466,000 in 1967. Delinquent employment taxes, which are a part of this group, show a decline of 40 percent, or from \$1,736,000 in 1966 to \$1,040,000 in 1967. The Jackson office transferred to

its accounts classified as uncollectable delinquencies a total of \$1,504,000 and abated an additional \$1,449,000 in the same year.

Jacksonville, Fla.: This office reports its total active and inactive tax delinquencies as declining 3 percent, from \$92,420,000 in 1966 to \$89,704,000 in 1967. Employment tax delinquencies, which are included in this group, show a reduction of 15 percent, or from \$14,119,000 in 1966 to \$11,984,000 in 1967. But this does not include the amount Jacksonville transferred to its accounts classified as uncollectable delinquencies, which totaled \$19,368,000 and it then abated an additional \$7,351,000 in the same year.

Nashville, Tenn.: This office reports a 16 percent reduction in its total active and inactive tax delinquencies, or from \$17,093,000 in 1966 to \$14,379,000 in 1967. Employment tax delinquencies, which are included in this group, show a 27 percent reduction, or from \$3,750,000 in 1966 to \$2,709,000 in 1967. But the Nashville office in 1967 also transferred to its accounts classified as uncollectable tax delinquencies a total of \$2,812,000 and then abated \$4,259,000.

Cincinnati, Ohio: Active and inactive tax delinquencies in this office show an increase of 8 percent, or from \$17,311,000 in 1966 to \$18,744,000 in 1967. Its employment tax delinquencies, which are included in the above group, show a reduction of 28 percent, or a drop from \$5,326,000 in 1966 to \$3,823,000 in 1967. The Cincinnati office in 1967 transferred to its accounts classified as uncollectable delinquencies a total of \$4,219,000 and then abated \$3,220,000.

Cleveland, Ohio: The total active and inactive tax delinquencies in this office show a slight rise from \$36,106,000 in 1966 to \$36,150,000 in 1967. While at the same time employment tax delinquencies, which are a part of this category, show a reduction of 13 percent, from \$5,788,000 in 1966 to \$5,001,000 in 1967, but the Cleveland office in 1967 transferred to its accounts classified as uncollectable delinquencies a total of \$4,986,000 and abated an additional \$9,487,000.

Detroit, Mich.: The total active and inactive tax delinquencies in Detroit rose 28 percent, or from \$39,469,000 in 1966 to \$50,758,000 in 1967. Employment tax delinquencies, which are included in the above, dropped 2 percent, from \$12,595,000 in 1966 to \$12,330,000 in 1967. Detroit in 1967 transferred to its accounts classified as uncollectable delinquencies \$3,279,000 and abated \$5,016,000.

Indianapolis, Ind.: This office reports a 3-percent reduction in its total active and inactive tax delinquencies, from \$24,838,000 in 1966 to \$24,066,000 in 1967. Employment tax delinquencies, which are included therein, show a reduction of 32 percent, from \$7,884,000 in 1966 to \$5,298,000 in 1967. During this same year the Indianapolis office transferred to accounts classified as uncollectable delinquencies a total of \$4,017,000 and then abated \$3,446,000 in addition.

Louisville, Ky.: Its total active and inactive tax delinquencies show a decrease of 10 percent, from \$10,306,000 to \$9,-

247,000 while delinquent employment taxes, which are a part of this group, declined by 13 percent, or from \$2,356,000 in 1966 to \$2,046,000 in 1967. During this same calendar year the Louisville office transferred to its accounts classified as uncollectable a total of \$2,731,000 and then abated \$2,642,000.

Parkersburg, W. Va.: The total for active and inactive tax delinquencies are reported as having decreased 3 percent, from \$4,690,000 in 1966 to \$4,545,000 in 1967, while employment tax delinquencies, included in the above, show a decrease of 23 percent, from \$1,369,000 in 1966 to \$1,044,000 in 1967. In addition, Parkersburg transferred \$897,000 to its second account, classified as "uncollectable," while during the same year it abated \$764,000.

Aberdeen, S. Dak.: This office reports a 14 percent reduction in its total for active and inactive tax delinquencies, or a reduction from \$1,067,000 in 1966 to \$909,000 in 1967. Delinquent employment taxes—included in this category—dropped 37 percent, from \$245,000 in 1966 to \$154,000 in 1967. During 1967 Aberdeen transferred to its accounts classified as uncollectable delinquencies a total of \$196,000 and abated another \$164,000.

Chicago, Ill.: The total for the active and inactive tax delinquencies rose for this office 15 percent, from \$43,300,000 in 1966 to \$50,102,000 in 1967, but employment tax delinquencies, which are included in this category, dropped 29 percent, from \$12,138,000 in 1966 to \$8,602,000 in 1967. During 1967 the Chicago office transferred to accounts classified as uncollectable delinquencies a total of \$16,868,000 and abated an additional \$12,028,000.

Des Moines, Iowa, reported a 2 percent reduction in its total active and inactive tax delinquencies, or from \$4,500,000 in 1966 to \$4,377,000 in 1967. Delinquent employment taxes, included in this category, dropped 38 percent, from \$1,428,000 in 1966 to \$879,000 in 1967. During this same year, 1967, Des Moines transferred a total of \$2,311,000 to its second account, classified as uncollectable delinquencies, and in addition abated another \$1,586,000.

Fargo, N. Dak.: Total active and inactive delinquencies in the Fargo office increased 62 percent, or from \$608,000 in 1966 to \$985,000 in 1967, while employment tax delinquencies, included in this category, remained the same—namely, \$246,000. This office transferred to its accounts marked as uncollectable delinquencies a total of \$92,000 while it abated \$156,000.

Milwaukee, Wis.: Reports a reduction of 13 percent in its total active and inactive tax delinquencies, or from \$12,771,000 in 1966 to \$11,064,000 in 1967. Delinquent employment taxes, which are part of this classification, dropped 18 percent, or from \$2,952,000 in 1966 to \$2,422,000 in 1967. At the same time Milwaukee transferred to its second account, classified as uncollectable delinquencies, a total of \$3,943,000 and abated \$2,254,000.

Omaha, Neb.: Total active and inactive tax delinquencies dropped 16 percent, from \$8,079,000 in 1966 to \$6,775,000 in

1967, while it reports a 78 percent reduction in delinquent employment taxes, or from \$3,067,000 in 1966 to \$670,000 in 1967. During the same year Omaha transferred to its accounts classified as uncollectable delinquencies a total of \$710,000, and abatements are not reported.

St. Louis, Mo.: Reports a 22 percent reduction in its total active and inactive delinquencies, or from \$17,893,000 in 1966 to \$13,919,000 in 1967. Employment tax delinquencies, which are included in the above account, show a decrease of 31 percent, or from \$5,363,000 in 1966 to \$3,700,000 in 1967. To achieve these reductions St. Louis transferred to its accounts classified as uncollectable delinquencies a total of \$6,718,000 plus an abatement for the same period totaling \$4,495,000.

St. Paul, Minn.: This office likewise reports a reduction in its total active and inactive tax delinquencies as well as in its delinquent employment taxes in the amounts of 22 percent and 31 percent, respectively. Its total for active and inactive accounts dropped from \$8,937,000 in 1966 to \$6,917,000 in 1967 while employment taxes dropped from \$2,272,000 to \$1,566,000. The total tax delinquencies are at a new low for the 14-year period; however, to achieve this report St. Paul transferred in 1967 to its accounts classified as uncollectable delinquencies a total of \$3,678,000 as abated \$3,201,000 in addition.

Springfield, Ill.: The total for active and inactive delinquencies decreased 19 percent, or from \$6,306,000 in 1966 to \$5,079,000 in 1967. Employment tax delinquencies, included in this same category, dropped 23 percent, or from \$1,764,000 in 1966 to \$1,347,000 in 1967. Again, in order to arrive at the above figures this office transferred to its accounts classified as uncollectable delinquencies a total of \$2,377,000 in 1967, not including the \$1,052,000 abated in the same period.

Albuquerque, N. Mex.: Its report for total active and inactive tax delinquencies rose 3 percent, or from \$5,606,000 in 1966 to \$5,789,000 in 1967, even though the office reported a 35 percent decrease in its employment tax delinquencies, or from \$1,347,000 in 1966 to \$867,000 in 1967. The total tax delinquencies were a new high for the 14-year period. Delinquent taxes which were transferred to accounts classified as uncollectable totaled \$656,000 while during the same period this office abated \$1,096,000 in taxes.

Austin, Tex.: The total for active and inactive tax delinquencies dropped but 1 percent, or from \$61,104,000 in 1966 to \$60,239,000 in 1967. Employment tax delinquencies, included in this same category reached a 14-year high, or from \$5,771,000 in 1967 as compared to \$5,703,000 in 1966. During 1967 the Austin office transferred to accounts classified as uncollectable delinquencies a total of \$7,202,000 and then abated an additional \$4,652,000.

Cheyenne, Wyo., reports an increase of 2 percent in its total for active and inactive tax delinquencies, or from \$1,102,000 in 1966 to \$1,125,000 in 1967,

while it reports a 13 percent decrease in delinquent employment taxes, or a reduction from \$381,000 in 1966 to \$329,000 in 1967. During 1967 the Cheyenne office transferred to accounts classified as uncollectable tax delinquencies a total of \$249,000, and in addition it abated a total of \$153,000.

Dallas, Tex.: This office reports a 166 percent rise over its total for active and inactive tax delinquencies, which represents a new 14-year high, or an increase from \$23,126,000 in 1966 to \$61,595,000 in 1967. Employment tax delinquencies, which are included in this category, dropped 25 percent, or from \$6,602,000 in 1966 to \$4,935,000 in 1967. During the same period, 1967, the Dallas office transferred to accounts classified as uncollectable tax delinquencies a total of \$5,831,000, and it abated an additional \$3,646,000 in the same period.

Denver, Colo.: The reported total for active and inactive tax delinquencies dropped 19 percent, or from \$12,118,000 in 1966 to \$9,736,000 in 1967, while employment tax delinquencies, which are included therein, dropped 5 percent, or from \$3,317,000 in 1966 to \$3,149,000 in 1967. During the same calendar year, 1967, the Denver office transferred to accounts classified as uncollectable tax delinquencies a total of \$4,068,000 and then abated an additional \$3,564,000.

Little Rock, Ark.: Its reported total for active and inactive tax delinquencies increased from \$10,390,000 in 1966 to \$11,187,000 in 1967, an increase of 7 percent and represents a new high for the 14-year period. Employment tax delinquencies, included in the above, dropped 11 percent, from \$1,140,000 in 1966 to \$1,015,000 in 1967. During 1967 the Little Rock office transferred to accounts classified as uncollectable tax delinquencies a total of \$752,000 and abatements in the same period totaled \$1,178,000.

New Orleans, La.: The total active and inactive delinquencies rose 9 percent, from \$14,342,000 in 1966 to \$15,693,000 in 1967, while its delinquent employment taxes were reduced 13 percent, or from \$4,813,000 in 1966 to \$4,178,000 in 1967. During 1967, the New Orleans office transferred to accounts classified as uncollectable delinquencies another \$2,897,000 and abated an additional \$1,345,000.

Oklahoma City, Okla.: The reported total for active and inactive delinquencies increased 6 percent, or from \$8,693,000 in 1966 to \$9,243,000 in 1967, while delinquent employment taxes also increased 6 percent, from \$2,393,000 in 1966 to \$2,551,000 in 1967. In addition the Oklahoma City office transferred to accounts classified as uncollectable tax delinquencies a total of \$3,244,000, which does not include the abatement of another \$2,060,000 in taxes.

Wichita, Kans.: This office reported a 3 percent reduction in its total for active and inactive tax delinquencies, or from \$7,283,000 in 1966 to \$7,006,000 in 1967, while at the same time it reported a 21 percent reduction in employment tax delinquencies, included in the above category, or a reduction from \$1,771,000 in 1966 to \$1,397,000 in 1967. But to achieve this report the Wichita office transferred to accounts classified as de-

linquent taxes which are uncollectable a total of \$850,000 and abated an additional \$2,566,000.

Anchorage, Alaska, reports a 16 percent reduction in its total delinquencies in the active and inactive account, or a reduction from \$1,930,000 in 1966 to \$1,614,000 in 1967. Employment tax delinquencies, which are included in this category, dropped 14 percent, from \$800,000 in 1966 to \$683,000 in 1967. During 1967 the Anchorage office transferred to its accounts classified as uncollectable delinquencies a total of \$883,000 and abated another \$197,000.

Boise, Idaho: The total for active and inactive tax delinquencies rose 41 percent, or from \$1,895,000 in 1966 to \$2,681,000 in 1967, a 14-year high, while at the same time delinquent employment taxes, included in the above category, dropped 19 percent, or from \$942,000 in 1966 to \$757,000 in 1967. In 1967 the Boise office transferred to the account classified as uncollectable delinquencies a total of \$208,000, and it abated an additional \$2,064,000.

Helena, Mont.: The total for active and inactive tax delinquencies rose 7 percent, or from \$1,466,000 in 1966 to \$1,592,000 in 1967, while employment tax delinquencies, which were included as a part of the above, dropped 18 percent, or from \$440,000 in 1966 to \$361,000 in 1967. During 1967 the Helena office transferred to an account classified as uncollectable delinquencies a total of \$766,000 and in addition abated a total of \$405,000.

Honolulu, Hawaii: The total as reported for the active and inactive delinquent tax accounts dropped 42 percent, from \$4,194,000 in 1966 to \$2,395,000 in 1967, while delinquent employment taxes, which were included in this category, rose 2 percent, from \$764,000 in 1966 to \$780,000 in 1967. This office in 1967 transferred \$227,000 to its account classified as uncollectable tax delinquencies, and in addition it abated a total of \$2,756,000.

Los Angeles, Calif.: The reported total for active and inactive tax delinquencies for this office dropped 20 percent, or from \$116,753,000 in 1966 to \$92,522,000 in 1967, while at the same time it reported a 37-percent decrease in delinquent employment taxes, or a reduction from \$28,175,000 in 1966 to \$17,744,000 in 1967. To arrive at these figures, however, the Los Angeles office transferred to its second account a total of \$45,011,000 classified as delinquent taxes uncollectable and then abated an additional \$5,927,000.

Phoenix, Ariz.: The reported total for active and inactive tax delinquencies for this office dropped approximately 1 percent, or from \$7,555,000 in 1966 to \$7,460,000 in 1967. During this same period it reported a reduction of 24 percent in delinquent employment taxes—which were a part of the above item—or a reduction from \$1,996,000 in 1966 to \$1,517,000 in 1967. During this same calendar year, 1967, the Phoenix office transferred \$1,875,000 to its second account which was classified as uncollectable delinquent taxes and then abated another \$1,316,000.

Portland, Oreg.: The total for active and inactive tax delinquencies as reported shows a decrease of 12 percent, or

from \$6,972,000 in 1966 to \$6,082,000 in 1967. During this same period delinquent employment taxes dropped 15 percent, or from \$1,616,000 in 1966 to \$1,372,000 in 1967. The Portland office in 1967 transferred to its second account which is classified as uncollectable delinquent taxes a total of \$2,585,000 and then abated an additional \$2,703,000.

Reno, Nev.: The total active and inactive delinquent taxes as reported dropped 2 percent, from \$6,594,000 in 1966 to \$6,452,000 in 1967, while the delinquent employment taxes, which are included as a part of the same category, dropped 25 percent, or a reduction from \$2,539,000 in 1966 to \$1,897,000 in 1967. The Reno office in 1967 transferred to its second account classified as uncollectable tax delinquencies a total of \$2,348,000 and abated an additional \$699,000.

Salt Lake City, Utah, reported a 52 percent increase in its total for active and inactive tax delinquencies, increasing from \$3,333,000 in 1966 to \$5,076,000 in 1967, while delinquent employment taxes, included in the above dropped 22 percent, or a reduction from \$1,102,000 in 1966 to \$852,000 in 1967. The Salt Lake City office in 1967 transferred to a second account, classified as uncollectable delinquent taxes, a total of \$1,299,000 and then in addition abated a total of \$711,000.

San Francisco, Calif.: The total for active and inactive tax delinquencies rose 24 percent, from \$40,604,000 in 1966 to \$50,441,000 in 1967, while at the same time employment tax delinquencies, which are included in this group, dropped 21 percent, or from \$10,806,000 in 1966 to \$8,446,000 in 1967. During the same year, 1967 the San Francisco office transferred to its second account, classified as uncollectable income taxes, a total of \$12,277,000 and in addition abated a total of \$2,925,000 during this same period.

Seattle, Wash.: Its reported total for active and inactive tax delinquencies dropped 20 percent, or from \$9,470,000 in 1966 to \$7,556,000 in 1967. Delinquent employment taxes, which were included as part of this account, dropped 34 percent, from \$2,798,000 in 1966 to \$1,830,000 in 1967. During 1967 the Seattle office transferred to its account classified as uncollectable tax delinquencies a total of \$3,357,000 and then abated an additional \$3,199,000.

Puerto Rico: Its reported total for active and inactive tax delinquencies increased 10 percent, a rise from \$2,524,000 in 1966 to \$2,793,000 in 1967, while employment tax delinquencies increased 11 percent, rising from \$1,752,000 in 1966 to \$1,946,000 in 1967. During the same calendar year, 1967, the Puerto Rico office transferred \$262,000 to its accounts classified as uncollectable tax delinquencies and then abated an additional \$852,000.

All other international operations: The total active and inactive tax delinquencies reported for this office dropped 1 percent, from \$70,324,000 in 1966 to \$69,501,000 in 1967, while delinquent employment taxes during the same year rose 29 percent, increasing from \$282,000 in 1966 to \$366,000 in 1967. During the same year this unit transferred to its accounts classified as uncollectable

delinquent taxes a total of \$2,768,000 and then abated an additional \$4,493,000.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point the two letters signed by Mr. Sheldon S. Cohen, Commissioner of Internal Revenue, and dated March 11 and April 24, 1968, along with their enclosures, upon which the statistics contained in my remarks today are based.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U. S. TREASURY DEPARTMENT,
INTERNAL REVENUE SERVICE,
Washington, D.C., March 11, 1968.

HON. JOHN J. WILLIAMS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: This is in response to your letter of February 6, 1968, requesting a report on the inventory of delinquent tax accounts as of December 31, 1967.

We have compiled the requested information and are attaching a tabulation showing our year-end delinquent account inventory broken down by the various tax groups and showing our inactive accounts in the column to the right. The figures in the inactive category are included in the figures shown in the columns under the various tax groups. All offices were current in their issuances as of December 31 and, therefore, all accounts in a delinquent status as of that date are included in the tabulation.

The following tabulation summarizes as of December 31, 1966 and 1967 the taxpayer delinquent accounts broken down as to active and inactive status. Accounts in the inactive category are those on which collection has been deferred pending the outcome of audit examinations, court cases, or

other contingent actions. Since such accounts are not subject to closure action until after the outcome of audit, court proceedings, etc., is determined, the Service has little opportunity to do anything that would help hold down this part of our delinquent account inventory at a low level.

TDA INVENTORY

Amount (thousands)

	Active	Inactive	Total
Dec. 31, 1966.....	\$792,751	\$632,442	\$1,416,193
Dec. 31, 1967.....	777,466	621,157	1,398,623
Change from Dec. 31, 1966, to 1967.....	-15,285	-2,285	-17,570
Percent of change.....	-2	-0.4	-1.3

Number

	Active	Inactive	Total
Dec. 31, 1966.....	923,905	147,543	1,071,448
Dec. 31, 1967.....	728,119	146,515	874,634
Change from Dec. 31, 1966, to 1967.....	-195,786	-1,028	-196,814
Percent of change.....	-21.2	-0.7	-18.4

Calendar year 1967 was marked by continued high activity in both issuance and closure of delinquent tax accounts. Although issuances totaled 2.4 million in number, they were down 14.2% from the previous year. Correspondingly, closures were also down, totaling 2.6 million for a decrease of 6% from 1966. As to the money value involved, issuances were up 11.0% over 1966 for a total of \$2.1 billion. Closures likewise totaled \$2.1 billion but this represented an increase of 22% over the value of closures during 1966.

In response to your request, we are attaching a district-by-district tabulation of accounts reported as uncollectible during 1967. As you know, our "uncollectible" classification procedure is a device to enable manage-

ment to use its manpower resources to the maximum extent. Stated otherwise, after our initial collection efforts prove unproductive, we report as uncollectible those accounts on which the likelihood of collection is so remote that we cannot afford to devote manpower to them that could better be used on more productive work. Typical of these are "no asset" cases, taxpayers who cannot be located, and those where collection would cause undue hardship to the taxpayer or his family.

I should also point out that after reporting accounts as uncollectible periodic reviews are made by management and also by our Internal Auditors. Needless to say, in event of improvement in the taxpayer's financial situation or location of reachable assets, the account is reactivated and collection effort resumed.

In addition, we are using our Data Processing equipment to associate prospective refunds with delinquent tax liabilities, with the result that during 1967 credits of over \$14.2 million were offset against delinquent taxes due the government. Over \$9.3 million were applied to accounts previously reported as uncollectible, closing over 41,000 delinquent accounts and part paying almost 56,000 more.

We appreciate your interest and assure you that there has been no letup in our efforts to conduct a vigorous and firm collection program. We continue to stress taxpayer education and other measures designed to obtain and improve the voluntary compliance of the taxpaying public, followed by prompt enforcement action in the case of those who do not respond. Because of the "trust fund" nature of the withheld taxes involved, we are continuing our emphasis on collecting from employers who file their employment tax returns without the required payment.

With kind regards,

Sincerely,

SHELDON S. COHEN,
Commissioner.

INVENTORY OF TAXPAYER DELINQUENT ACCOUNTS, DECEMBER 1967 AND 1966

	Tax groups											
	Income				Employment				Other			
	Number	Amount (thousands)	Number	Amount (thousands)	Number	Amount (thousands)	Number	Amount (thousands)	Number	Amount (thousands)	Number	Amount (thousands)
	1967	1966	1967	1966	1967	1966	1967	1966	1967	1966	1967	1966
Total.....	619,511	744,066	\$946,788	\$919,738	222,740	289,552	\$255,768	\$312,636	32,383	37,830	\$196,067	\$183,82
North Atlantic.....	141,758	157,463	255,233	283,884	52,366	60,051	82,346	92,372	4,583	7,109	50,547	34,386
Mid-Atlantic.....	108,481	133,845	114,141	116,483	32,419	42,639	38,118	41,061	5,950	5,639	25,420	24,252
Southeast.....	69,723	92,227	110,473	120,659	29,508	48,562	23,433	32,931	5,836	8,246	17,515	16,613
Central.....	88,154	102,942	92,978	81,143	28,274	36,143	29,542	35,318	3,671	3,835	20,990	16,258
Midwest.....	57,997	70,940	69,821	59,579	19,383	23,215	19,586	29,475	2,961	2,983	10,718	14,406
Southwest.....	63,392	71,020	135,588	91,066	27,241	34,234	24,192	27,467	3,991	4,212	21,835	25,232
Western.....	85,206	110,258	102,174	100,451	30,040	41,119	36,239	51,978	5,239	5,604	45,440	48,336
International operations.....	4,800	5,371	66,380	66,473	3,509	3,589	2,312	2,034	152	202	3,602	4,339
North Atlantic region:												
Albany.....	7,966	8,687	5,614	4,517	2,208	2,612	3,598	4,265	280	346	4,982	1,018
Augusta.....	2,064	1,491	2,152	1,787	681	730	292	679	41	41	16	41
Boston.....	28,923	24,054	31,628	22,217	10,859	9,633	12,390	9,106	680	760	2,125	1,527
Brooklyn.....	40,777	51,091	55,759	51,831	11,905	15,704	24,000	26,896	852	1,389	9,528	15,142
Buffalo.....	11,774	10,839	10,704	12,646	4,496	4,405	4,982	4,743	331	527	2,520	1,955
Burlington.....	944	717	878	573	608	639	415	381	53	32	74	41
Hartford.....	9,551	8,905	8,728	6,086	3,288	3,506	4,183	3,870	380	365	16,099	1,339
Manhattan.....	35,955	48,960	136,318	182,268	16,612	20,742	30,611	40,104	1,659	3,512	14,704	13,071
Portsmouth.....	1,665	1,033	1,093	719	576	753	479	767	20	36	16	43
Providence.....	2,139	1,686	2,359	1,240	1,133	1,327	1,396	1,561	297	101	483	209
Mid-Atlantic region:												
Baltimore.....	26,535	29,044	24,779	24,559	4,885	6,198	6,198	6,261	940	716	4,166	2,550
Newark.....	28,152	38,019	39,391	39,456	10,656	13,491	13,389	13,843	1,950	1,997	8,731	9,324
Philadelphia.....	23,861	33,409	30,200	25,223	6,937	10,710	9,335	10,437	1,214	1,224	7,718	7,117
Pittsburgh.....	11,114	13,159	9,791	11,891	3,965	5,667	4,772	6,228	925	928	1,896	1,846
Richmond.....	15,374	17,305	8,328	13,978	5,205	5,759	3,904	3,856	751	617	1,690	1,243
Wilmington.....	3,445	2,909	1,652	1,376	771	814	520	436	170	157	1,219	2,172
Southeast region:												
Atlanta.....	10,684	13,128	8,564	10,460	3,980	6,679	2,855	4,446	1,017	1,704	2,523	3,705
Birmingham.....	6,421	9,454	5,610	6,633	3,283	5,634	1,715	3,440	607	998	2,330	1,686
Columbia.....	5,377	8,021	5,384	5,790	1,977	4,063	1,076	2,277	485	679	409	728
Greensboro.....	10,874	13,245	9,520	11,447	3,460	6,185	2,054	3,163	695	866	832	1,022
Jackson.....	4,691	5,452	3,128	3,497	2,117	3,392	1,040	1,736	565	519	297	659
Jacksonville.....	21,704	30,345	69,453	72,254	10,416	16,833	11,964	14,119	1,490	2,196	8,268	6,047
Nashville.....	9,972	12,582	8,814	10,578	4,275	5,776	2,709	3,750	977	1,284	2,856	2,766

INVENTORY OF TAXPAYER DELINQUENT ACCOUNTS, DECEMBER 1967 AND 1966—Continued

	Tax groups											
	Income				Employment				Other			
	Number		Amount (thousands)		Number		Amount (thousands)		Number		Amount (thousands)	
	1967	1966	1967	1966	1967	1966	1967	1966	1967	1966	1967	1966
Central region:												
Cincinnati.....	13,272	17,526	\$11,942	\$10,816	4,378	6,693	\$3,823	\$5,326	464	471	\$2,980	\$1,169
Cleveland.....	16,344	20,655	26,684	25,654	5,044	6,340	5,001	5,788	834	907	4,464	4,664
Detroit.....	35,207	35,798	30,877	20,596	10,389	12,535	12,330	12,595	1,396	1,196	7,551	6,277
Indianapolis.....	12,046	16,687	14,362	15,560	4,415	5,340	5,298	7,884	621	802	4,406	1,394
Louisville.....	8,542	8,700	6,759	5,920	2,682	3,477	2,046	2,356	240	318	442	2,030
Parkersburg.....	2,743	3,576	2,354	2,597	1,366	1,758	1,044	1,369	116	141	1,147	724
Midwest region:												
Aberdeen.....	990	1,175	609	665	362	484	154	245	64	63	145	158
Chicago.....	24,329	32,293	36,942	25,138	7,172	8,663	8,602	12,138	855	1,013	4,557	6,024
Des Moines.....	4,112	4,510	2,624	2,654	1,338	1,738	879	1,428	555	254	875	418
Fargo.....	1,084	811	663	303	385	417	246	246	52	58	76	58
Milwaukee.....	6,435	7,246	7,193	6,660	2,101	2,788	2,422	2,952	275	282	1,449	3,159
Omaha.....	1,910	1,762	5,170	4,497	787	850	670	3,067	106	105	934	515
St. Louis.....	9,668	13,843	8,775	10,184	3,591	4,268	3,700	5,363	466	589	1,443	2,345
St. Paul.....	5,157	4,829	4,474	5,478	2,015	2,147	1,566	2,272	375	385	878	1,188
Springfield.....	4,312	4,471	3,371	4,000	1,632	1,860	1,347	1,764	213	234	361	541
Southwest region:												
Albuquerque.....	2,052	2,494	4,227	3,750	1,152	1,840	867	1,347	167	280	695	509
Austin.....	14,917	19,042	41,379	38,623	6,080	7,248	5,771	5,703	817	1,196	13,089	6,778
Cheyenne.....	919	1,226	685	598	522	674	329	381	91	53	112	124
Dallas.....	13,644	15,798	53,937	14,568	5,424	7,191	4,935	6,602	841	779	2,723	1,935
Denver.....	6,385	6,321	5,472	7,749	2,950	3,318	3,149	3,317	656	438	1,115	1,052
Little Rock.....	3,921	3,254	10,004	9,036	1,687	2,111	1,015	1,140	191	257	168	214
New Orleans.....	9,487	9,842	9,179	7,870	4,288	5,524	4,178	4,813	453	425	2,336	1,660
Oklahoma City.....	7,298	7,449	5,685	4,894	3,000	3,744	2,551	2,393	443	492	1,008	1,406
Wichita.....	4,769	5,594	5,020	3,958	2,138	2,584	1,397	1,771	332	292	589	1,554
Western region:												
Anchorage.....	1,159	1,505	861	1,110	448	596	683	800	31	24	70	20
Boise.....	1,297	1,134	1,838	706	639	869	757	942	148	172	86	247
Helena.....	1,159	1,377	1,053	675	586	574	361	440	150	146	148	351
Honolulu.....	1,316	1,185	1,507	3,374	604	698	780	764	66	42	109	56
Los Angeles.....	32,089	47,737	50,910	51,053	11,450	16,827	17,744	28,175	1,720	2,040	23,867	37,525
Phoenix.....	4,000	3,915	5,347	4,732	1,337	1,894	1,517	1,996	236	278	596	826
Portland.....	5,653	5,959	4,253	4,956	1,839	1,975	1,372	1,616	392	341	457	399
Reno.....	2,153	2,790	3,442	2,928	1,102	1,455	1,897	2,539	93	95	1,113	1,127
Salt Lake City.....	2,314	2,383	3,661	2,012	1,116	1,302	852	1,102	189	286	564	219
San Francisco.....	28,595	35,125	24,771	23,144	8,728	11,553	8,446	10,806	1,889	1,823	17,225	6,554
Seattle.....	5,471	7,138	4,531	5,761	2,171	3,396	1,830	2,798	325	357	1,195	911
International operations:												
Puerto Rico.....	834	1,209	834	731	3,251	3,200	1,946	1,752	1	7	13	40
All other.....	3,966	4,162	35,546	65,742	258	389	366	282	151	195	3,589	4,299

	Tax groups				Inactive			
	Total							
	Number		Amount (thousands)		Number		Amount (thousands)	
	1967	1966	1967	1966	1967	1966	1967	1966
Total.....	874,634	1,071,448	\$1,398,623	\$1,416,193	146,515	147,543	\$621,157	\$623,442
North Atlantic.....	198,707	224,623	388,127	410,641	34,743	34,637	162,285	210,354
Mid-Atlantic.....	146,850	182,123	177,679	181,795	25,757	28,733	82,719	65,023
Southeast.....	105,067	149,035	151,422	170,198	17,603	22,044	82,970	79,923
Central.....	120,099	142,920	143,510	132,720	19,141	19,911	53,882	58,960
Midwest.....	80,341	97,138	100,127	103,461	15,726	12,269	29,153	38,423
Southwest.....	94,624	109,466	181,613	143,764	13,077	10,032	112,115	72,871
Western.....	102,485	156,981	183,851	200,766	18,827	18,206	69,048	71,600
International operations.....	8,461	9,162	72,294	72,848	2,010	1,711	28,985	26,288
North Atlantic region:								
Albany.....	10,454	11,645	14,195	9,801	1,873	1,636	2,558	2,321
Augusta.....	2,786	2,262	2,460	2,507	623	469	1,078	1,167
Boston.....	40,462	34,447	46,143	32,849	5,070	5,294	9,943	11,108
Brooklyn.....	53,534	68,184	89,287	93,868	7,700	7,299	37,238	34,453
Buffalo.....	16,601	15,771	18,206	19,344	2,977	2,210	6,725	7,311
Burlington.....	1,605	1,388	1,367	995	433	204	398	350
Hartford.....	13,219	12,776	29,011	11,295	2,572	1,717	19,536	3,667
Manhattan.....	54,226	73,214	181,633	235,442	12,147	14,834	83,161	148,317
Portsmouth.....	2,261	1,822	1,587	1,530	377	378	714	685
Providence.....	3,559	3,114	4,238	3,010	602	596	934	975
Mid-Atlantic region:								
Baltimore.....	32,360	35,958	35,143	33,370	4,387	4,767	18,138	5,275
Newark.....	40,758	53,507	6,511	62,622	8,145	8,083	32,781	26,734
Philadelphia.....	32,012	45,343	47,253	42,777	6,598	8,839	19,446	14,498
Pittsburgh.....	16,004	19,754	16,459	19,966	2,670	3,358	6,163	5,882
Richmond.....	21,330	23,681	13,922	19,076	3,241	3,061	5,479	10,709
Wilmington.....	4,386	3,880	3,391	3,984	716	625	712	1,925
Southeast region:								
Atlanta.....	15,681	21,511	13,942	18,610	2,800	3,164	5,493	5,871
Birmingham.....	10,311	16,086	9,656	11,758	1,885	2,870	3,952	3,263
Columbia.....	7,839	12,763	6,869	8,794	1,200	2,041	3,921	3,275
Greensboro.....	15,029	20,296	12,406	15,632	2,811	3,869	6,556	7,383
Jackson.....	7,373	9,363	4,466	5,891	973	1,405	1,707	1,943
Jacksonville.....	33,610	49,374	89,704	92,420	5,169	5,839	57,633	54,378
Nashville.....	15,224	19,642	14,379	17,093	2,765	2,856	3,708	3,810
Central region:								
Cincinnati.....	18,114	24,690	18,744	17,311	3,124	3,110	5,548	5,459
Cleveland.....	22,222	27,902	36,150	36,106	3,448	4,337	17,149	20,303
Detroit.....	46,992	49,529	50,758	39,469	6,981	5,884	15,807	15,888
Indianapolis.....	17,082	22,829	24,066	24,838	2,853	3,651	10,623	12,843
Louisville.....	11,464	12,495	9,247	10,306	2,070	2,113	3,430	3,463
Parkersburg.....	4,225	5,475	4,545	4,690	665	816	1,325	1,004

INVENTORY OF TAXPAYER DELINQUENT ACCOUNTS, DECEMBER 1967 AND 1966—Continued

	Tax groups				Inactive			
	Total							
	Number	Amount (thousands)	Number	Amount (thousands)	Number	Amount (thousands)	Number	Amount (thousands)
	1967	1966	1967	1966	1967	1966	1967	1966
Midwest region:								
Aberdeen.....	1,416	1,722	\$909	\$1,067	264	117	\$286	\$181
Chicago.....	32,356	41,969	50,102	43,300	4,269	4,819	8,931	12,833
Des Moines.....	6,005	6,502	4,377	4,500	1,606	1,009	1,973	1,865
Fargo.....	1,521	1,286	985	608	398	161	430	228
Milwaukee.....	8,811	10,316	11,064	12,771	2,018	1,205	4,137	3,892
Omaha.....	2,803	2,717	6,775	8,079	719	614	4,528	6,445
St. Louis.....	13,725	18,700	13,919	17,893	3,073	2,292	4,709	6,236
St. Paul.....	7,547	7,361	6,917	8,937	1,810	1,230	2,116	4,141
Springfield.....	6,157	6,565	5,079	6,306	1,569	814	2,043	2,602
Southwest region:								
Albuquerque.....	3,371	4,614	5,789	5,606	563	650	2,246	1,613
Austin.....	21,814	27,486	60,239	61,104	2,247	1,748	38,260	39,075
Cheyenne.....	1,532	1,953	1,125	1,102	342	324	378	395
Dallas.....	19,909	23,768	61,595	23,126	2,663	2,064	48,474	11,099
Denver.....	9,991	10,077	9,736	12,118	1,432	1,035	3,801	4,186
Little Rock.....	5,799	5,622	11,187	10,390	975	867	8,488	8,267
New Orleans.....	14,228	15,791	15,693	14,342	2,046	1,304	6,241	3,634
Oklahoma City.....	10,741	11,685	9,243	8,693	1,417	992	2,377	2,252
Wichita.....	7,239	8,470	7,006	7,283	1,392	1,048	1,850	2,350
Western region:								
Anchorage.....	1,638	2,125	1,614	1,930	189	200	315	441
Boise.....	2,084	2,175	2,681	1,895	572	437	969	789
Helena.....	1,895	2,097	1,572	1,466	440	415	673	556
Honolulu.....	1,986	1,925	2,395	4,194	457	332	915	2,726
Los Angeles.....	45,259	66,604	92,522	116,753	6,291	6,840	38,606	42,977
Phoenix.....	5,573	6,087	7,460	7,555	862	748	2,477	2,091
Portland.....	7,904	8,275	6,082	6,972	1,167	1,172	2,169	2,941
Reno.....	3,348	4,340	6,452	6,594	518	488	1,943	2,424
Salt Lake City.....	3,619	3,971	5,076	3,333	729	590	2,843	1,453
San Francisco.....	39,212	48,491	50,441	40,604	5,807	5,362	15,572	12,542
Seattle.....	7,967	10,891	7,556	9,470	1,795	1,622	2,566	2,660
International operations:								
Puerto Rico.....	4,086	4,416	2,793	2,524	1,038	923	1,368	586
All other.....	4,375	4,746	69,501	70,324	972	788	27,617	25,702

Note: Rounded figures may not add to the totals which are based on unrounded figures.

TAXPAYER DELINQUENT ACCOUNTS REPORTED AS UNCOLLECTABLE CALENDAR YEARS 1967 AND 1966

Region and district	Uncollectable				Region and district	Uncollectable			
	Number		Amount (thousands)			Number		Amount (thousands)	
	1967	1966	1967	1966		1967	1966	1967	1966
Total.....	305,224	309,752	\$347,100	\$253,006	Central region—Continued				
North Atlantic.....	63,433	61,022	129,212	70,034	Detroit.....	8,723	6,758	\$3,279	\$4,040
Mid-Atlantic.....	33,366	38,936	24,249	21,154	Indianapolis.....	5,343	4,231	4,017	4,538
Southeast.....	45,599	43,230	38,001	34,696	Louisville.....	2,984	2,956	2,731	1,720
Central.....	31,503	26,710	20,128	18,930	Parkersburg.....	1,303	1,559	897	887
Midwest.....	35,778	35,622	36,892	23,492	Midwest region:				
Southwest.....	32,257	30,949	25,752	18,594	Aberdeen.....	487	469	196	158
Western.....	60,348	70,838	69,836	63,300	Chicago.....	17,686	15,650	16,868	12,314
International operations.....	2,940	2,445	3,031	2,804	Des Moines.....	1,704	1,645	2,311	1,210
North Atlantic region:					Fargo.....	375	400	92	121
Albany.....	1,459	1,666	780	2,145	Milwaukee.....	3,887	3,483	3,943	1,512
Augusta.....	752	784	266	282	Omaha.....	824	939	710	328
Boston.....	5,450	5,124	2,943	3,281	St. Louis.....	5,776	7,103	6,718	3,458
Brooklyn.....	25,117	20,337	32,354	32,449	St. Paul.....	3,288	3,742	3,678	2,245
Buffalo.....	4,783	5,221	2,719	1,475	Springfield.....	1,751	2,191	2,377	2,147
Burlington.....	361	216	133	88	Southwest region:				
Hartford.....	2,249	3,006	846	980	Albuquerque.....	1,295	1,135	656	437
Manhattan.....	21,756	23,042	87,673	28,030	Austin.....	6,674	7,162	7,202	4,967
Portsmouth.....	724	894	398	687	Cheyenne.....	624	427	249	130
Providence.....	782	732	1,100	615	Dallas.....	9,213	9,046	5,831	4,361
Mid-Atlantic region:					Denver.....	2,258	2,219	4,068	1,586
Baltimore.....	8,345	10,887	4,884	5,565	Little Rock.....	1,821	1,645	752	958
Newark.....	10,408	9,887	9,040	6,035	New Orleans.....	4,024	3,568	2,897	2,579
Philadelphia.....	5,796	7,422	5,622	4,473	Oklahoma City.....	4,536	3,057	5,244	3,032
Pittsburgh.....	3,260	3,398	2,448	2,989	Wichita.....	1,812	1,690	850	545
Richmond.....	4,821	6,536	1,960	1,595	Western region:				
Wilmington.....	736	806	298	499	Anchorage.....	1,061	1,526	883	720
Southeast region:					Boise.....	839	969	208	258
Atlanta.....	7,059	8,370	4,828	3,521	Helena.....	1,072	1,349	766	683
Birmingham.....	5,256	4,752	4,560	2,433	Honolulu.....	601	995	227	893
Co'umbia.....	3,253	2,536	1,903	835	Los Angeles.....	21,042	26,036	45,011	37,023
Greensboro.....	7,207	7,949	3,027	3,997	Phoenix.....	2,880	3,048	1,875	2,033
Jackson.....	2,534	2,399	1,504	1,208	Portland.....	4,927	6,358	2,585	2,883
Jacksonville.....	14,619	11,631	19,368	20,360	Reno.....	1,750	1,937	2,348	1,615
Nashville.....	5,671	5,593	2,812	2,342	Salt Lake City.....	1,500	1,624	1,299	1,018
Central region:					San Francisco.....	20,434	22,427	12,277	13,889
Cincinnati.....	6,366	4,930	4,219	2,465	Seattle.....	4,242	4,569	2,357	2,284
Cleveland.....	6,784	6,276	4,986	5,280	International operations:				
					Puerto Rico.....	1,015	781	262	106
					All other.....	1,925	1,664	2,768	2,698

Note: Rounded figures may not add to the totals which are based on unrounded figures.

U.S. TREASURY DEPARTMENT,
INTERNAL REVENUE SERVICE,
Washington, D.C., April 24, 1968.

Hon. JOHN J. WILLIAMS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: In accordance with the recent telephonic requests of your office, we are enclosing—

(1) District-by-district tabulations of uncollectible accounts for calendar years 1966 through 1967, and

(2) District-by-district tabulations of abatements for calendar year 1967.

Figures on uncollectibles for years prior to 1956 are not available. Also, we are unable to give you a district-by-district breakdown of uncollectibles by class of tax but, on the

basis of the best information available, we estimate that for the period 1956 through 1967, dollar value of income tax uncollectibles on a year-by-year basis varied from 60% to 65%.

As you know, the dollar value of accounts marked uncollectible in one year cannot be added to the figure for prior years so as to get a cumulative total of accounts not col-

lected over the period. The reason for this is that many such accounts are reactivated on the basis of improvement of the taxpayer's financial situation and are partially or wholly collected. Also, as we advised you in our report of March 11, 1968, we are now using our data processing equipment to associate prospective refunds with delinquent tax liabilities, and, during 1967, we applied more than \$9.3 million of such refunds to accounts previously reported as uncollectible.

As explained in prior year reports, abatements are entirely different from uncollectibles. Except in the case of offers in compromise, an assessment is abated only if it is in excess of the tax amount actually due and owing at the time. The following types of assessment qualify for abatement:

1. Assessments in excess of the amount legally due as determined by audit examination.
2. Assessments in excess of the amount accepted on an offer in compromise.
3. Jeopardy assessments later determined by court ruling to be excessive.
4. Jeopardy assessments where it is admin-

istratively determined that jeopardy does not exist.

5. Transferee assessments in excess of the basic transferor assessment.

6. 100 percent penalty assessments in excess of the basic corporate assessment.

Assessments made in transferee cases always duplicate an amount already assessed against the transferor, and in cases involving the 100 percent penalty, assessments made against officers or employees of the taxpayer always constitute a duplication of an amount already assessed against the taxpayer himself. In fact, transferee assessments, all representing the same basic transferor liability, may be made against several transferees, and the 100 percent penalty may be assessed against more than one person in respect of the same offense. However, no more is actually collected than is actually due, of course, and all assessments over and above the basic one must ultimately be abated.

In jeopardy cases, the situation differs in that the assessments made are usually against the taxpayer and the taxpayer only. However, the amounts involved are deter-

mined on the basis of such information, sometimes rather limited, as is immediately available to the Service. Jeopardy assessments may, therefore, be in excess of the true liability as subsequently determined when all the facts are disclosed. In such cases, the amount of the jeopardy assessment is adjusted to the true liability.

With specific reference to the abatement figures being furnished for 1967 and 1966, we should like to explain that the minus figure entered in the 1967 column for Omaha is the result of an adjustment for a combination of factors involving an invalid assessment, a consequent error in reporting, and conversion of figures from a fiscal to a calendar year basis. The correct figures for Omaha are as follows:

Calendar year 1966..... \$1,263,000
Calendar year 1967..... 3,205,000

We are happy to furnish the information requested. If we can be of further service in any way, please call on us.

With kind regards,
Sincerely,

SHELDON S. COHEN,
Commissioner.

TAXPAYER DELINQUENT ACCOUNTS REPORTED AS ABATED, CALENDAR YEARS 1967 AND 1966

Region and district	Abated			
	Number		Amount (thousands)	
	1967	1966	1967	1966
Total.....	162,411	157,758	\$213,793	\$219,656
North Atlantic.....	34,801	34,083	50,339	49,209
Mid-Atlantic.....	31,217	26,973	39,293	28,397
Southeast.....	23,089	21,113	26,538	41,763
Central.....	22,265	16,453	24,576	23,466
Midwest.....	19,499	23,791	24,541	36,042
Southwest.....	13,616	14,785	20,262	14,008
Western.....	15,890	16,403	22,900	24,063
International operations.....	2,034	2,157	5,346	2,707
North Atlantic region:				
Albany.....	1,034	1,582	628	1,103
Augusta.....	463	392	316	411
Boston.....	4,516	7,026	5,720	5,910
Brooklyn.....	8,214	8,295	8,572	9,031
Buffalo.....	3,064	3,266	4,382	4,336
Burlington.....	466	322	232	116
Hartford.....	2,854	1,552	2,553	2,442
Manhattan.....	13,822	10,798	27,260	23,240
Portsmouth.....	68	420	153	291
Providence.....	280	430	541	328
Mid-Atlantic region:				
Baltimore.....	4,433	4,663	4,871	4,158
Newark.....	7,112	7,741	12,249	9,777
Philadelphia.....	12,318	8,900	6,644	5,767
Pittsburgh.....	3,181	3,543	5,729	5,045
Richmond.....	3,653	3,538	6,942	2,724
Wilmington.....	520	588	2,860	927
Southeast region:				
Atlanta.....	3,796	3,421	4,404	4,007
Birmingham.....	2,681	2,297	3,109	2,016
Columbia.....	2,154	1,959	1,286	17,472
Greensboro.....	4,243	4,219	4,679	2,145
Jackson.....	1,487	1,501	1,449	840
Jacksonville.....	5,645	5,353	7,351	12,134
Nashville.....	3,083	2,363	4,259	3,148
Central region:				
Cincinnati.....	2,964	2,241	3,220	7,184
Cleveland.....	4,809	4,418	9,487	6,116
Detroit.....	6,240	3,639	5,016	3,999

Region and district	Abated			
	Number		Amount (thousands)	
	1967	1966	1967	1966
Central region—Continued				
Indianapolis.....	4,108	3,580	\$3,446	\$3,133
Louisville.....	3,134	1,715	2,642	2,518
Parkersburg.....	1,010	860	764	517
Midwest region:				
Aberdeen.....	337	411	164	446
Chicago.....	7,648	8,726	12,028	17,573
Des Moines.....	1,554	1,964	1,586	1,632
Fargo.....	346	368	156	166
Milwaukee.....	2,298	2,496	2,354	2,132
Omaha.....	850	953	—498	4,966
St. Louis.....	3,527	4,787	4,955	5,516
St. Paul.....	1,702	2,144	3,201	1,787
Springfield.....	1,239	1,942	1,052	1,825
Southwest region:				
Albuquerque.....	854	663	1,096	1,727
Austin.....	3,757	3,841	4,652	2,590
Cheyenne.....	225	197	153	70
Dallas.....	1,673	2,460	3,646	3,020
Denver.....	1,262	1,961	3,564	2,219
Little Rock.....	1,427	1,543	1,178	1,052
New Orleans.....	1,077	900	1,345	1,141
Oklahoma City.....	1,798	1,952	2,060	1,586
Wichita.....	1,543	1,268	2,566	602
Western region:				
Anchorage.....	189	245	197	219
Boise.....	798	764	2,064	1,034
Helena.....	553	638	405	392
Honolulu.....	505	638	2,756	294
Los Angeles.....	2,030	605	5,927	687
Phoenix.....	1,061	968	1,316	1,853
Portland.....	1,622	2,022	2,703	1,993
Reno.....	320	501	699	1,572
Salt Lake City.....	690	716	711	967
San Francisco.....	6,056	7,031	2,925	11,637
Seattle.....	2,066	2,275	3,199	3,415
International operations:				
Puerto Rico.....	1,017	881	852	694
All other.....	1,017	1,276	4,493	2,013

Note: Rounded figures may not add to the totals which are based on unrounded figures.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the act (S. 3033) to increase the authorization for appropriation for continuing work in the Missouri River Basin by the Secretary of the Interior.

OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1967

The Senate resumed the consideration of the bill (S. 917) to assist State and local governments in reducing the inci-

dence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government, and for other purposes.

PRIVILEGE OF THE FLOOR

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that Lawrence A. Monaco, Jr., assistant legislative counsel, be permitted the privilege of the floor during the consideration of my amendment No. 710.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. BYRD of West Virginia. I

yield myself 2 minutes. Mr. President, under amendment No. 710, if a person is convicted of a felony consisting of first, inciting a riot or civil disorder; or, second, organizing, promoting, encouraging, or participating in a riot or civil disorder; or, third, aiding or abetting persons to engage in any of those offenses; or, fourth, committing an offense, such as arson or larceny, which, as determined by the employing agency, is in furtherance of a riot or civil disorder, the individual thereby becomes ineligible to hold any position in the U.S. Government or the District of Columbia government for a period of 5 years from the date his

conviction becomes final. This means that if the individual is employed by the United States or the District of Columbia, he must be removed from his position, after notice and opportunity to reply under sections 7501 and 7512 of title 5, United States Code, and may not be reemployed in that position or employed in any other Government position for 5 years. If he is not already employed in a Government position, he is prohibited from being so employed for 5 years.

As previously stated, amendment No. 710 bars persons from being employed by the United States and the District of Columbia only if they are convicted of felonies related to riots.

The second section of the amendment applies only to convictions based on acts committed after the date of enactment of the amendment. It was not made retroactive because of a possible claim that it would then be an *ex post facto* law: Since ineligibility for employment is predicated on a felony conviction, it could be argued that the prohibition against employment constitutes additional punishment for a crime.

PRESENT PRACTICE

Present agency practice is that an employee convicted of a felony is normally removed from his position. At the very most, a person removed would be barred from taking a civil service examination for a maximum of 3 years following removal. At the end of 3 years, he may apply to take the civil service examination. He still may not be employed, however, if after consideration, he is found to be unsuitable. In many situations, the prohibition is shorter than 3 years, depending on the type of felony and the position involved.

During the recent riots following Dr. King's death, 31 Federal employees were arrested for riot-related offenses. None have yet been convicted, and, therefore, none have been removed.

NEED FOR AMENDMENT NO. 710

Amendment No. 710 is necessary for three reasons. First, it puts every Federal and District of Columbia employee, and every prospective employee, on notice that the Congress considers a felony arising out of a riot as an act which should receive special condemnation since it undermines the law and order upon which our form of government depends for its survival.

Second, amendment No. 710 withdraws an area of discretion from Federal agencies, the Civil Service Commission, and the District of Columbia government. If a person is convicted of a riot-related felony, he must, in every case, be removed. At the present time, removal is discretionary with the agency.

Third, because of the serious nature of the offenses involved, a 5-year mandatory disqualification period is more appropriate than the discretionary 3-year period established administratively by the Civil Service Commission. The adoption of this amendment does not relax or in any way change the existing prohibition against hiring an employee who is considered unsuitable for a particular position.

Mr. McCLELLAN. Mr. President will the Senator yield?

Mr. BYRD of West Virginia. I yield.

Mr. McCLELLAN. Mr. President, I should like some further explanation of subsection (4) under section 7313 on page 2 of the amendment. It reads:

Any offense determined by the head of the employing agency to have been committed in furtherance of, or while participating in, a riot or civil disorder.

Does the head of the agency become the judge or arbiter between the agency and the employee as to whether the employee has violated the law or not?

The PRESIDING OFFICER. The Senator's time has expired.

Mr. BYRD of West Virginia. I yield myself 2 additional minutes.

Mr. President, I ask for the yeas and nays on amendment No. 710.

The yeas and nays were ordered.

Mr. BYRD of West Virginia. Mr. President, an indictment would be returned against the individual, which would charge him, under subsection (1) with inciting a riot; under subsection (2) with organizing, promoting, encouraging, or participating in a riot or civil disorder; under subsection (3) with aiding or abetting any person in committing any offense specified in clause (1) or (2); and what we are trying to do under subsection (4) is get at the arsonist, the murderer—

Mr. McCLELLAN. I understand the first three, but I do not understand the fourth.

Mr. BYRD of West Virginia. That is to enable us to get at the individual who commits arson, grand larceny, murder, assault on a police officer, et cetera.

Mr. McCLELLAN. Am I looking at the correct amendment, No. 710?

Mr. BYRD of West Virginia. That is correct.

Mr. McCLELLAN. The one I have says:

Any offense determined by the head of the employing agency to have been committed in furtherance of, or while participating in, a riot or civil disorder.

Does the Senator propose to make the head of the agency the judge who makes the final determination?

Mr. BYRD of West Virginia. No.

Mr. McCLELLAN. It says "any offense determined by the head of the employing agency."

Mr. BYRD of West Virginia. The individual must be convicted of a felony, for one thing.

Mr. McCLELLAN. Before any of these would apply?

Mr. BYRD of West Virginia. Mr. President, before any of the provisions would apply, he must be convicted of a felony, and the head of the agency would determine whether or not the felony was related to a riot.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BYRD of West Virginia. Mr. President, I yield myself 1 additional minute.

The PRESIDING OFFICER. The Senator from West Virginia is recognized for 1 additional minute.

Mr. BYRD of West Virginia. Mr. President, during a riot, in other words, an individual could commit a larceny in

Georgetown that might be entirely unrelated to the riot. I do not want this amendment to apply to that individual. His felony must be related to the riot.

Mr. McCLELLAN. In other words, he might be standing down here aiding and abetting in the rioting and would be covered anyhow by possibly the other provisions. But if in the course of the rioting he broke into a store or went into a store and took goods or engaged in arson, pillaging, or plundering, the head of the agency would determine whether that act was related to the rioting.

Mr. BYRD of West Virginia. The head of the agency would determine whether the act was related to the rioting, because in the course of the rioting many individuals might commit felonies entirely unrelated to the riot.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BYRD of West Virginia. Mr. President, I yield myself 1 additional minute.

The PRESIDING OFFICER. The Senator from West Virginia is recognized for 1 additional minute.

Mr. BYRD of West Virginia. Mr. President, this would give the head of the agency an opportunity to determine whether the felony was unrelated to the riot.

Mr. McCLELLAN. I subscribe to the general objective that I think the Senator is trying to reach. I think that Government employees who engage in these acts and activities should come within the law and should be dealt with.

I commend the Senator for the general idea and purpose of the pending amendment. I have no objection to it except that I do think—and we will have an opportunity to discuss it later—the language should perhaps be studied further and adjustments made in it in conference if necessary. The provision does not appear in the House bill.

I think the amendment should be studied further. I agree with the general objectives.

Mr. BYRD of West Virginia. I am trying to establish a nexus between the felonious act committed and the riot. An individual who might have committed grand larceny in Arlington or in Fairfax during the time of a riot in Washington might not in any way be committing a felony connected with the riot.

I want to provide a connection with the riot. I feel that we ought to give the head of the employing agency the opportunity to determine whether there is that connection.

Mr. HRUSKA. Mr. President, will the Senator yield on my time?

Mr. BYRD of West Virginia. I yield.

Mr. HRUSKA. Mr. President, will the distinguished minority leader yield me 3 minutes?

Mr. DIRKSEN. Mr. President, I yield 3 minutes to the distinguished Senator from Nebraska.

The PRESIDING OFFICER. The Senator from Nebraska is recognized for 3 minutes.

Mr. HRUSKA. Mr. President, I am in sympathy with the objective the Senator seeks to achieve. The times require some such action. It would be very salutary.

I ask the Senator from West Virginia

if he recalls our recent discussion of the pending amendment in which I stated that it had been brought to my attention by one of my colleagues that a similar provision was at one time in the Landrum-Griffin Act. That act contained a provision in which a union official was disqualified from holding union office for a given number of years following his conviction for conduct of which he was guilty in connection with handling the affairs of the union.

The Supreme Court held, if I remember correctly, that the provision was unconstitutional as a bill of attainder. The Court held the provision to be a legislative imposition of a penalty, and not part of the penalty, and that, therefore, it was outside of the pale of the constitutional provisions.

I ask the Senator from West Virginia if he has canvassed that particular provision, and if the Senator is satisfied that situation does not inure in his provision.

Mr. BYRD of West Virginia. I have inquired into that possibility. I have had the legislative counsel research the matter. And I am convinced that amendment No. 710 is not likely to be held to be a bill of attainder.

Mr. HRUSKA. Mr. President, did the Senator cover that in his original presentation of the amendment?

Mr. BYRD of West Virginia. I did not.

Mr. HRUSKA. Would the Senator include whatever memorandum or information he has on that matter in the RECORD so as to build up legislative history that might be helpful in the conference with the House of Representatives or in the courts?

Mr. BYRD of West Virginia. Mr. President, I shall read a brief memorandum which I think will be helpful:

The latest Supreme Court case on bills of attainder is *United States v. Brown* (381 U.S. 479, 1965), a 5-4 decision which Chief Justice Warren writing the majority opinion. The case involved section 504 of the Labor-Management Reporting and Disclosure Act of 1959 (popularly known as the Landrum-Griffin Act) which made it a crime for a member of the Communist Party to be an officer or employee (except clerical and custodial positions) of a union (1) while a member of the Party or (2) for the five years following termination of his membership. The purpose of the section was to protect the national economy by minimizing political strikes.

The Court held that section 504 was a bill of attainder because:

"The statute does not set forth a generally applicable rule decreeing that any person who commits certain acts or possesses certain characteristics (acts and characteristics which, in Congress' view, make them likely to initiate political strikes) shall not hold union office, and leave to courts and juries the job of deciding what persons have committed the specified acts or possess the specified characteristics."

The Court cited a statement in *United States v. Lovett* (328 U.S. 303, 1946), as setting forth the test of what is a bill of attainder: "legislative acts, no matter what their form, that apply either to named individuals or to easily ascertainable members of a group in such a way as to inflict punishment on them without a judicial trial. . . ." (p. 448-49). The Court reiterated this point at the end of its decision when it said that "Congress must accomplish such results by rules of general applicability. It cannot specify the people upon whom the sanction it prescribes

is to be levied." (p. 461). In short, section 504 was a bill of attainder because Congress itself engaged in a judicial act in determining that every member of the Communist Party would assist in promoting political strikes. The Congress instead should have stated what acts it intended to punish (acts of political strikes) and allowed the courts and juries to determine if individuals criminally charged had engaged in such acts.

Amendment 710 is not likely to be held to be a bill of attainder. The amendment does not apply to specific individuals or groups, such as labor unions or other similar groups. Instead, the amendment applies generally to acts of rioting and riot-related felony offenses as a condition for qualification for Federal or District of Columbia employment. The amendment leaves it to the courts and juries to determine if an individual has engaged in riotous conduct. It thus appears that Amendment 710 is not a bill of attainder. In fact, it can be argued reasonably that the *Brown* rationale provides justification for considering the amendment not to be a bill of attainder since the amendment does not contravene any of the bill of attainder elements enumerated by the majority opinion.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. DIRKSEN. Mr. President, I yield the Senator an additional 2 minutes.

The PRESIDING OFFICER. The Senator from Nebraska is recognized for an additional 2 minutes.

Mr. HRUSKA. Mr. President, I think that is a very persuasive and authoritative memorandum. It has me convinced with the exception of the point raised by the Senator from Arkansas [Mr. McCLELLAN]—that the case will be determined by the head of the employing agency. As a Congress, we do not condemn certain acts, but we delegate that power and instruct the head of the department to exercise it.

Would that in any way impair the force of the legal memorandum read by the Senator from West Virginia?

Mr. BYRD of West Virginia. The individual first has to be convicted of a felony, and then it is up to the head of the department to determine whether that felony was in any way connected with the riot.

Mr. HRUSKA. The question I asked is whether the determination by the head of the employing agency would not be a duty delegated from Congress to that department head to the extent that it might still run into the objection of being a bill of attainder.

Mr. BYRD of West Virginia. This is a determination of eligibility of employment.

Mr. HRUSKA. Yes.

Mr. BYRD of West Virginia. The executive branch has the prerogative of determining eligibility for employment, and Congress, as I understand, has the prerogative of establishing certain qualifications for employment. One of those qualifications is that the individual shall not have been convicted of a felony in connection with a riot during the preceding 5 years. Adequate appeals procedures are open to the individual.

Mr. HRUSKA. If it would clear the language and acceptability of subsection (4) to have a right of appeal by the employee from the determination of the head of the employing agency, would the Senator from West Virginia have any

objection to such an amendment being prepared, either in the other body or in conference, when the bill gets there?

Mr. BYRD of West Virginia. Would the Senator repeat his question?

Mr. HRUSKA. Would the Senator from West Virginia have any objection to the amending of subsection (4) so as to accord an employee the right to appeal from the ruling of the head of the department against him?

Mr. BYRD of West Virginia. As I understand it, that is not needed. The appeals procedure is already open.

Mr. HRUSKA. Through other means in the personnel statutes or regulations?

Mr. BYRD of West Virginia. Through sections 7501 and 7512 of title V of the United States Code.

Mr. HRUSKA. So that any ruling of the department head would be appealable, and there would be recourse by the employee if it were an adverse ruling?

Mr. BYRD of West Virginia. It would be recourse under already existing statute.

Mr. HRUSKA. As usual, the Senator from West Virginia did his homework well, and I commend him for it. Under that explanation, I shall support his amendment and vote for it.

Mr. BYRD of West Virginia. I thank the Senator.

Mr. RANDOLPH. Mr. President, who has the floor?

The PRESIDING OFFICER. The majority leader and the minority leader control the time.

Mr. DIRKSEN. How much time remains, Mr. President?

The PRESIDING OFFICER. The minority leader has 3 minutes, and the majority leader has 2 minutes.

Mr. BYRD of West Virginia. Mr. President, I yield myself 1 minute.

The PRESIDING OFFICER. The Senator [Mr. RANDOLPH] is recognized for 1 minute.

Mr. DIRKSEN. I also give the Senator 1 minute of my time.

Mr. RANDOLPH. Mr. President, I shall support the amendment offered by my distinguished colleague from West Virginia. His approach to this problem is a valid one. I believe Senators will vote overwhelmingly in favor of the amendment.

I am confident that he desires the RECORD to include the fact that during the recent riots some persons employed in the career service of the Federal Government were arrested or apprehended during violations of the law.

Would the Senator clarify this point for the RECORD?

Mr. BYRD of West Virginia. As of May 10, 1968, 31 Federal employees had been arrested throughout the United States for felonious crimes connected with riots since April 4, the date of the assassination of Dr. Martin Luther King, Jr. None of these has been convicted. About two-thirds of that number—to wit, 31—were arrested in the District of Columbia, in connection with the civil disturbances that occurred here. In addition to these, as of April 19, 1968, 15 District of Columbia government employees have been charged with serious offenses arising out of the April 4 riots.

Mr. RANDOLPH. I thank my colleague for this explanation. I understand, of course, that the provisions of the pending amendment would not be effective without conviction of the person or persons involved.

Mr. BYRD of West Virginia. The Senator's understanding is correct.

Mr. RANDOLPH. I support the principle and the amendment which has been well explained by my colleague.

Mr. BYRD of West Virginia. I thank my able colleague for his support. I know that, as a member of the Senate Post Office and Civil Service Committee and chairman of its Subcommittee on Civil Service, he has an intense interest in the welfare of Federal employees. He has worked diligently to make the Federal career service more attractive. But in advocating the cause of the Federal worker, he has also emphasized the obligation of the employee to conduct himself in a responsible manner.

The PRESIDING OFFICER (Mr. Young of Ohio in the chair). Who yields time?

Mr. TYDINGS. Mr. President, may I propound an inquiry to the acting majority leader?

Mr. BYRD of West Virginia. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from West Virginia has 1 minute, and the Senator from Illinois has 2 minutes.

Mr. TYDINGS. It is my understanding, from reading the language of the amendment, that the restrictions would not apply to manpower training or job training programs for the individuals involved, and that they would be eligible to participate in manpower training or the Job Corps or any type of training designed to equip them to return to society and to earn a living.

Mr. BYRD of West Virginia. The Senator is correct. There is no intention on the part of the author of the amendment to inhibit or prohibit or preclude any individuals from engaging in job training or manpower training programs. I would hope that they would continue to participate in such training programs so that they may better qualify for private employment.

The PRESIDING OFFICER. The Senator from West Virginia has 1 minute remaining.

Mr. BYRD of West Virginia. I reserve the remainder of my time.

Mr. DIRKSEN. Mr. President, I yield back the remainder of my time.

Mr. BYRD of West Virginia. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back. The question is on agreeing to the amendment. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Arizona [Mr. HAYDEN], the Senator from Hawaii [Mr. INOUE], the Senator from Missouri [Mr. LONG], the Senator from Maine [Mr. MUSKIE], and the Senator from

New Jersey [Mr. WILLIAMS] are absent on official business.

I also announce that the Senator from Indiana [Mr. BAYH], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from South Carolina [Mr. HOLLINGS], the Senator from New York [Mr. KENNEDY], the Senator from Ohio [Mr. LAUSCHE], the Senator from Louisiana [Mr. LONG], the Senator from Washington [Mr. MAGNUSON], the Senator from Minnesota [Mr. McCARTHY], the Senator from Oklahoma [Mr. MONRONEY], the Senator from New Mexico [Mr. MONTROYA], the Senator from Oregon [Mr. MORSE], the Senator from Rhode Island [Mr. PELL], the Senator from Connecticut [Mr. RIBICOFF], the Senator from Florida [Mr. SMATHERS], the Senator from Texas [Mr. YARBOROUGH], and the Senator from Oklahoma [Mr. HARRIS] are necessarily absent.

I further announce that, if present and voting, the Senator from Indiana [Mr. BAYH], the Senator from Louisiana [Mr. LONG], the Senator from Oklahoma [Mr. MONRONEY], and the Senator from New Mexico [Mr. MONTROYA] would each vote "yea."

On this vote, the Senator from Connecticut [Mr. RIBICOFF] is paired with the Senator from Oregon [Mr. MORSE]. If present and voting, the Senator from Connecticut would vote "yea," and the Senator from Oregon would vote "nay."

On this vote, the Senator from South Carolina [Mr. HOLLINGS] is paired with the Senator from New Jersey [Mr. WILLIAMS]. If present and voting, the Senator from South Carolina would vote "yea," and the Senator from New Jersey would vote "nay."

On this vote, the Senator from Rhode Island [Mr. PELL] is paired with the Senator from New York [Mr. KENNEDY]. If present and voting, the Senator from Rhode Island would vote "yea," and the Senator from New York would vote "nay."

Mr. DIRKSEN. I announce that the Senator from Tennessee [Mr. BAKER], the Senator from New Hampshire [Mr. COTTON], the Senator from Wyoming [Mr. HANSEN], the Senator from New York [Mr. JAVITS], the Senators from California [Mr. KUCHEL and Mr. MURPHY], and the Senator from Illinois [Mr. PERCY] are necessarily absent.

The Senator from New Jersey [Mr. CASE] is absent on official business.

The Senator from Texas [Mr. TOWER] is detained on official business.

If present and voting, the Senator from Tennessee [Mr. BAKER], the Senator from Wyoming [Mr. HANSEN], the Senator from California [Mr. MURPHY], and the Senator from Texas [Mr. TOWER] would each vote "yea."

On this vote, the Senator from California [Mr. KUCHEL] is paired with the Senator from New York [Mr. JAVITS]. If present and voting, the Senator from California would vote "yea," and the Senator from New York would vote "nay."

The result was announced—yeas 61, nays 9, as follows:

[No. 129 Leg.]

YEAS—61

Alken
Allott

Anderson
Bartlett

Bennett
Bible

Boggs
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Church
Clark
Cooper
Curtis
Dirksen
Dodd
Dominick
Eastland
Ellender
Ervin
Fannin
Fong

Gore
Griffin
Gruening
Hartke
Hatfield
Hickenlooper
Hill
Holland
Hruska
Jordan, N.C.
Jordan, Idaho
Mansfield
McClellan
McGee
McGovern
McIntyre
Miller
Morton
Mundt

Nelson
Pastore
Pearson
Prouty
Proxmire
Randolph
Russell
Smith
Sparkman
Spong
Stennis
Symington
Talmadge
Thurmond
Tydings
Williams, Del.
Young, N. Dak.

NAYS—9

Brooke
Hart
Jackson

Kennedy, Mass.
Metcalf
Mondale
Moss
Scott
Young, Ohio

NOT VOTING—30

Baker
Bayh
Case
Cotton
Fulbright
Hansen
Harris
Hayden
Hollings
Inouye

Javits
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
McCarthy
Monroney
Montoya
Morse
Murphy
Muskie
Pell
Percy
Ribicoff
Smathers
Tower
Williams, N.J.
Yarborough

So the amendment (No. 710) of Mr. BYRD of West Virginia was agreed to.

Mr. BYRD of West Virginia. Mr. President, I move that the vote by which the amendment was adopted be reconsidered.

Mr. PROXMIRE and Mr. RANDOLPH moved to lay the motion on the table.

The motion to lay on the table was agreed to.

Mr. SCOTT. Mr. President, I am in favor of the principle that persons convicted of felonies should never be employed by the Federal Government. But legislation on this point should be carefully drawn so as to withstand assault by judicial review. I believe the previous amendment raises serious constitutional questions because it is too loose, sets no time limitation, runs the risk of being declared ex post facto legislation, and could well be a bill of attainder. Even if considered constitutional, this amendment is too broad in its sweep and could affect many persons who are not intended to be reached by such a measure. Thus my no vote on this amendment.

It should be noted that Congress has not ignored the problem of riots. The Omnibus Crime Control and Safe Streets Act gives special emphasis to programs aimed at preventing, detecting and controlling riots. Another measure enacted into law makes it a crime to travel around the country to incite a riot or to instruct persons in the making and using of weapons of violence for use in a riot. This act also makes it a crime to interfere with law-enforcement personnel or firemen during the course of a riot.

RIOTS, FEAR, BOOST GUN SALES

Mr. DODD. Mr. President, tension is mounting in this year of civil unrest, and in each city where there was an incident of disorder, we found that gun sales in that city and in the surrounding suburbs have increased.

This is the worst possible reason for the increase of sporting arms and ammunition.

People unsure of themselves, people in a state of fear, are the ones who least of all should be in possession of firearms.

And not nearly so many would be inclined to go out and buy firearms had not their fears been played upon and their desire for "home defense" been exploited by the gun lobby.

On page 11161 of the CONGRESSIONAL RECORD, May 1, 1968, along with appropriate comment, I inserted news stories from more than a dozen cities where firearms and ammunition sales skyrocketed following rioting.

The stories generally reflected the concern of public officials that the community was becoming an armed camp.

Most of them in fact are an armed camp.

The concern came too late.

Too little was done about the firearms laws when there was a chance to do something effective, and too little is being done now while there is some chance to limit the arsenal of opposing camps.

This is what we found out about the sale of handguns in a part of the area surrounding Washington, and I want to emphasize that these figures do not include the sale of rifles and shotguns on which no records are kept. The sale of long arms seems to be even higher.

In Fairfax County from last June 1 to April 1, 1968, a total of 876 handguns were sold. But from April 4, 1968, to April 17, 1968, barely a 2-week period, 545 handguns were sold.

In Montgomery County during March of 1968, 199 handguns were sold as against 144 for the same month last year.

But, from April 1 through April 29, 1968, 449 handguns were sold as against 95 for the same period last year.

Baltimore City officials report that during 1967, applications for handguns ran about 300 a week. They are now running about 600 a week.

And the story is the same across the country, from Frederick, Md., to Ames, Iowa. The March 30 and April 1, 1968, editions of the Ames, Iowa, Tribune tell the story of "a vague anxiety, compounded of fear" and increased sales of weapons.

In Frederick, Md., the Hagerstown, Md., Herald reports the "gun sales in Frederick County this month are running more than five times the sales in adjoining Washington County."

Saratoga Springs, N.Y., reports that:

The sales of handguns and sporting weapons are going up. The mounting sales were attributed to racial tensions.

The Philadelphia Inquirer of April 30, 1968, has a headline telling the story for that area. It reads:

Sale of Guns Increases in Philadelphia Area. Fear of Crime, Racial Disorders Frequently Cited.

The Washington Post of April 17, 1968, headlines it: "Suburban Purchases of Pistols Skyrocket."

A week after the life of the Reverend Dr. Martin Luther King, Jr., was snuffed out by a rifle in the hands of a madman, the Baltimore Sun surveyed gun sales in its area. In a story headlined "Gun, Ammunition Sales High in County After King Death," written by David C. Goeller, Towson, Md., bureau chief, the Sun found a sharp upswing in the sale of guns of all kinds.

A new Illinois State firearms law goes into effect on May 15. The Chicago Tribune of May 5, 1968, reports that 90,000 guns had already been registered and that there will be "a substantial increase before the deadline for registering on May 15."

On April 18, 1968, the Raleigh, N.C., Times, in a three column headline, stated "Gun Permits Shoot Up."

And is the gun-buying panic of Americans a subject of interest to the people of other nations? It seems so. I will say more on that later.

However, this story from the Vancouver, B.C., Sun of March 29, 1968, tells the story with this headline: "Worst Riot Year Feared, Gun Sales Boom Across the United States."

Mr. President, as we here in the Senate consider title IV of S. 917, the omnibus crime bill, I would like my colleagues to have these articles before them. I ask unanimous consent they be printed in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Ames (Iowa) Tribune, Mar. 30, 1968]

GUN SALES BOOM

A vague anxiety, compounded of fear of another long, hot summer of racial strife and the rising crime rate has resulted in a 15 to 20 per cent increase in gun sales across the country, according to a Scripps-Howard Newspapers survey.

There is nothing new to this. The same phenomenon has been noted in every city after every riot. But never before have so many ordinary, decent citizens, both white and Negro, been arming themselves in preparation for some sort of trouble, some sort of threat to their personal safety and that of their families.

Homeowners, housewives, businessmen, cab drivers, people who have never owned a gun and don't know how to handle one, are buying revolvers, pistols, rifles, shotguns and ammunition. Few states or municipalities have any sort of restrictions governing the sale of guns, and what laws exist are easily circumvented.

There are several tragic aspects to this situation.

Almost all the damage and loss of life in all the riots has been suffered in the Negro areas of the cities. The few times that Negroes have "invaded" white neighborhoods, it has been in peaceful demonstrations, often met by abuse and violence or the threat of violence on the part of whites.

As for crime, this, too, is in great part a matter of Negro against Negro. The fact that law-abiding Negroes, now feel they must arm themselves says more about the failure of the police to protect the ghetto dwellers from the criminals among them than it does about any plan to make war on the whites.

Ironically, the kind of crime that poses the real danger to America—the big-time, syndicated crime that syphons off billions of dollars a year out of the pockets of everyone, that corrupts government and law enforcement agencies and erodes everyone's freedom—does not seem to frighten people at all.

Even if all these guns are never used in a racial civil war—a prospect almost too terrible to contemplate—guns do have a way of going off.

How many people now buying guns they have no business buying will later have cause to regret that action for the rest of their lives?

[From the Ames (Iowa) Tribune, Apr. 1, 1968]

COUNTY WEAPON SALES INCREASE

The number of dangerous weapon sales to Story County residents is apparently on the increase and continuing the upward trend begun three years ago.

Merchant's record of sales of dangerous weapons on file in the office of the Story County recorder through March 26 shows 81 sales through that date—essentially the first quarter of 1968. Assuming that the same number would be issued in the remaining three-quarters of the year, the total number for 1968 would be near 245, about the same as in 1967.

The number of sales by merchants has increased over the last three years and took a noticeable jump in the 1963-64 year, according to county records. Sales for the year ending Dec. 29, 1967, totaled \$258; for the year ending Dec. 30, 1966, \$171; for the year ending Dec. 31, 1965, \$169.50; for the year ending Dec. 31, 1964, \$172.50 and for the year ending Dec. 31, 1963, \$115.50. On the basis of \$1.50 per permit, this would indicate sales of 176 pistols in 1967; 54 thus far in 1968.

While the majority of applicants listed "student" as their occupation, nearly all types of work—professional, skilled and unskilled—are represented. Of the 81 making purchases so far this year, two are store managers; three are women—two of whom listed their occupation as "housewife", the other as "nurse's aide."

Nearly all popular calibers are listed, with the .22 cal. heading the list. Part of the answer is undoubtedly the popularity of the .22 as a sporting arm.

The record of sale does not provide for listing the purpose for which a handgun is purchased—whether the buyer wants the gun for sport, for personal or home protection, etc. Authorization of the county sheriff must be given before minors can purchase handguns. A special permit is required from the county sheriff to carry a handgun concealed.

[From the Hagerstown (Md.) Herald, Apr. 20, 1968]

GUN SALES SOAR IN FREDERICK BUT NORMAL HERE

(By Cel Richardson)

State Police reported Friday night that gun sales in Frederick County this month are running more than five times the sales in adjoining Washington County.

In the city of Frederick, gun dealers report that small arms sales have jumped in recent weeks. In Hagerstown and Hancock, however, the number of hand gun purchases is close to normal, according to police.

In all towns, dealers report more elderly persons and women are buying guns than before.

Of the two counties, Frederick is nearer Washington and Baltimore, where gun sales in white suburbs have soared in the wake of looting and violence in early April.

A ban on gun purchases ordered for the Maryland suburbs of Washington and Baltimore, was lifted April 14.

According to Sgt. Robert Snyder of Maryland State Police in Frederick County, 77 applications for hand gun permits have been processed so far this month. Frederick City Police could not give exact figures, but a desk sergeant said "there's been a pack of them."

Jack Reed, sales manager at the Maryland Gun Shop in Frederick, said he's been selling more hand guns than usual. "I won't say we've had a rash of sales," he said, "but our percentage is sure up."

"It's the John Q. Citizens who never knew what end of the gun the bullet came out of that are buying them," he said.

"They're worried about their property and they're worried about protecting themselves."

A lot of elderly people who never thought about guns before are buying them."

In Maryland, hand guns cannot be purchased without applying to state or local police for permission. In all cases, there is a seven day waiting period for the application to be processed.

An applicant must supply information about his race, occupation, employer, police record, the date and place of his latest application, and whether or not it was approved.

"Not one of the applications we've received in the past two weeks has been rejected for any reason," Reed said.

In contrast, hand gun permits issued in Washington County showed only a slight increase.

According to 1st Sergeant Clyde B. Tucker of the Maryland State Police, permits for Washington County have totalled 15 for the first three weeks of April. The number already equals the number processed in March. "This still isn't an excessive number," he said.

The Hagerstown Police Dept. detective bureau has processed only 16 hand gun applications during April, about the same as for the same period in March.

Otho Hare at the Maryland Gun Shop in Hagerstown said "only a few more than the normal number of John Doe's are buying hand guns," although he said he noticed more women customers than usual.

Sales of small arms ammunition have also been steady, he said.

Walter R. Baker, who deals mainly in rifles and shotguns in Hagerstown, says the small arms he has in stock aren't disappearing at any great rate.

Hendershot's Sporting Goods in Hancock reports the same. Glenn Hendershot said, "hand guns sales are pretty normal for this time of year." He reports that small arms ammunition sales are just about the same.

[From the Saratoga Springs (N.Y.) Saratogian, Jan. 4 1968]

ONE IN FOUR NEW YORKERS OWNS A GUN, POLICE SAY

(By Dusko Doder)

ALBANY, N.Y.—At least one of every four New Yorkers owns a firearm, State Police say, and the sales of handguns and sporting weapons are going up.

The mounting sales were attributed by many to racial tensions.

Police said it is impossible to arrive at an exact figure of persons who possess shotgun or rifle, because these do not require permits or license.

But the number of pistol permits issued during the first nine months of 1967 passed the 33,000 figure and is expected to be the largest annual total on record, a police spokesman said.

Operators of sporting good stores and other distributors of firearms have reported brisk sales during the past year.

A New York City gun-control statute that goes into effect Feb. 15 will require owners and sellers of firearms to register the weapons and obtain licenses from the city.

Law enforcement officials and firearm dealers cite the civil disorders during the last few summers as a major factor in the increase in sale of arms.

William Brefka, chief of the State Police Pistol Permit section, estimated the increase at 10 per cent, however.

He said racial unrest is only a part of the problem.

"During the war years there's always an increase in gun ownership. We are training an awful lot of young people to use these weapons in Vietnam and they develop a liking for these instruments," Brefka said.

"Also, some people are buying guns because they are fearful of a tightening in the law," he said, "but that won't do them any good if the bill gets through. They'll have to start all over again."

[From the Washington (D.C.) Post, Apr. 17, 1968]

SUBURBAN PURCHASES OF PISTOLS SKYROCKET (By Peter A. Jay)

Despite a partial embargo on the sale of firearms during the recent outbreak of civil disorders in Washington and Baltimore, white suburbanites have been arming themselves this month at a precedent-shattering pace.

Police records show that in the first two weeks of April, applications for handgun purchases nearly doubled in Prince George's and Montgomery Counties.

This increase does not reflect recent sales of rifles and shotguns, which police do not record and gun dealers say outstrip handgun purchases, nor does it take into consideration weapons bought by Maryland residents in Virginia during the week that Maryland and Washington gunshops were legally closed. The embargo ended Monday.

Sales were high again yesterday.

LINES IN ALEXANDRIA

In Alexandria, where suburbanites stood in lines to buy guns during the height of the District rioting, police have already received more applications—400—for handgun purchases this month than they did in all of March.

On the Monday following the outbreak of rioting, more than 100 applications flooded into the headquarters of the Prince George's County police—more than four times the usual amount.

Montgomery County, where applications average about ten a day, reported 22 on the same day. Arlington and Fairfax Counties, where the embargo on sales of firearms was not in effect, reported no significant increase.

Montgomery and Prince George's officials reported 454 applications for handguns since the rioting began April 5.

Lt. Robert Morris, head of the firearms section of the Maryland State police, said there is "no question" April sales of both handguns and rifles and shotguns will show a substantial increase over March, when about 8000 handgun applications were received throughout the State.

"Most of them are going to home owners and business people," Morris said. "It's a natural reaction. We had the same thing last summer after the trouble in Newark and Detroit."

Morris and police officials in Washington and Virginia noted that there is no sure way of estimating the number of rifles and shotguns sold. Only applications for handgun purchases are required by police, who routinely approve them unless a check shows the applicant is under age, mentally incompetent or has a criminal record.

But suburban gun dealers, many of whom are chary of reporters and reluctant to be quoted by name, said sales of long-arms substantially exceeded those of handguns in the period just before the embargo.

UNSCHOOLED ON FIREARMS

"I'll be frank" said Fred O'Rourke, owner of the Sportsman gun shop in Bethesda, "Many of our customers have been white Montgomery County residents who know little about guns and want protection."

"Most of them buy shotguns, which we feel are safer than handguns." And purchasers of shotguns do not have to wait for approval of an application, he noted.

O'Rourke and other Maryland gun dealers were critical of the embargo, contending it drove gun buyers to Virginia dealers. "As soon as you make things hard to get, you increase the demand," O'Rourke said.

A Beltsville dealer agreed. "My sales aren't up much," he said, "but if you can drive 35 miles to Loudoun County (Virginia) and buy a gun without a wait, why bother to apply here?"

The waiting period for handguns is one

week in Maryland and at least three days in Arlington, Fairfax and Alexandria.

[From the Baltimore (Md.) Sun, Apr. 10, 1968]

GUN, AMMUNITION SALES HIGH IN COUNTY AFTER KING DEATH (By David C. Goeller)

Baltimore county experienced a sharp upswing in gun sales to whites after the assassination last Thursday of the Rev. Martin Luther King, Jr.

A survey of sporting goods and firearm stores in the county yesterday showed that there was heavier-than-normal traffic in guns and ammunition last Friday and Saturday—even before the city began experiencing looting and burning.

CLAMOR CONTINUED

The clamor for weapons has continued this week, although the sale of guns and ammunition has been banned in the county since Sunday by order of Governor Agnew.

Police and other county officials privately are wary of the possibility of serious racial confrontations if city Negroes begin forays into the suburbs where armed whites may begin shooting in the belief they must defend their homes.

Statistics released yesterday back up the reports given by county gun dealers who were in their shops and who commented.

Between Friday and Monday, the police received 159 applications from white countians desiring to purchase handguns, according to Inspector Ednor L. Story.

SIXTY-ONE APPLICATIONS WEEK AGO

The sudden rush for pistols and revolvers is in stark contrast to the 61 purchase applications received by police for the preceding Friday to Monday period.

The Police Bureau, under the terms of a 1966 State law, performs a background investigation of purchasers of handguns before the weapons actually are delivered to customers.

The bureau has no record of traffic in rifles and shotguns, which are freely bought and sold without the benefit of similar legal controls.

Handgun applications during all of 1967 totaled 3,438. For the first 3 months of 1968, police processed 1,624 handgun-purchase requests.

Gun dealers who were available, said that sales of weapons were heavier than normal Friday and Saturday. They said requests for firearms and ammunition were pouring in Monday and yesterday, days when sales were forbidden.

But a store in Towson and another near Catonsville both reported that once the demand became apparent last weekend, they voluntarily halted sales of guns and ammunition.

In the eastern county, one major gun shop was closed. Another in Essex answered questions with: "We have nothing to say to any newspaper."

Unofficial reports from the eastern end, however, showed that gun buying around Essex and Dundalk has been heavy. The police declined to pinpoint the origin of the purchase applications.

County inconvenienced

Baltimore county, with only minor exceptions, has merely been inconvenienced by the burnings, looting and military occupation in Baltimore city.

Since Sunday, countians have been subject to the same curfew hours as the city residents, and the sale of alcoholic beverages likewise has been curtailed.

Dale Anderson, the county executive explained at a press conference yesterday that he asked Governor Agnew to impose the curfew Sunday after "we received some spillover of militants by auto" into certain county areas, including Eastpoint.

Mr. Anderson indicated that the "spillover"

consisted merely of Negroes riding in cars. Police said they have yet to receive their first substantiated report of looting.

One high-ranking police official stated that the county has been quiet and he was not sure what Mr. Anderson meant by "spillover."

In fact, the burning of a Negro church in Catonsville early Sunday appears to be the county's only real brush with civil disorder since rioting began in Baltimore city Saturday night.

Inspector Story said that two store-window breakings in Dundalk Saturday night are not considered racially connected.

Cooperation and help

He added that police have received nothing but cooperation and offers of help from the large Negro community of Turner Station, about half a mile from the window-breaking incidents.

Gas stations in Baltimore county reported that more customers than usual were requesting "fill-ups" rather than \$1 or \$2 worth of gas.

The volume and movement of traffic on streets and the Baltimore Beltway appeared normal.

Every now and then a car or truck was seen with its headlights burning in the daylight, considered a tribute to the late Dr. King.

GUN REQUESTS RISE IN HOWARD COUNTY (From Ellicott City bureau of the Sun)

Howard county police reported yesterday that requests for permission to possess revolvers almost doubled yesterday from normal daily level of six to eleven. The county has only two outlets which sell weapons, and residents buying weapons do so outside the county.

No unusual activities, such as buying excess amounts of gasoline, were reported yesterday, police said.

ARUNDEL GUN SALES RISE SUBSTANTIALLY (From the Annapolis bureau of the Sun)

ANNAPOLIS, April 9.—The county police department reported substantial increases through yesterday in the sale of handguns in Anne Arundel county, but the police chief said he saw "no need for a ban on firearms sales" during the crisis in Baltimore.

"There was no trouble in my county," said Chief Elmer F. Hagner, who added that he believed most sales were to individuals concerned with protecting their homes and property.

The department received 44 applications today from persons who attempted to purchase handguns Saturday and yesterday. Police here must certify that handgun purchasers have no criminal records before sales may be consummated.

Other arms uncontrolled

There are no controls, however, on the sale of shotguns, rifles or ammunition.

According to county police, the 44 applications today compares with an average of about 30 applications a week prior to the assassination of the Rev. Martin Luther King, Jr., last Thursday.

Since Sunday, arms retailers have been operating under a voluntary ban on gun sales. Chief Hagner agreed today, however, that the ban had not been altogether effective.

[From the Philadelphia (Pa.) Inquirer, Apr. 30, 1968]

SALE OF GUNS INCREASES IN PHILADELPHIA AREA—FEAR OF CRIME, RACIAL DISORDERS FREQUENTLY CITED

An increase in the demand for firearms has been felt in Philadelphia and its suburban counties.

Among the factors most frequently cited are alarm over racial disorders in the cities and a rising fear of crime.

One major retail chain said it was "down-playing" the display of firearms in its stores

and some had discontinued such displays. A sporting goods and hardware store in Camden said it had discontinued firearms because of the general unrest.

MORE LICENSES ISSUED

Comparable situations have been reported in other major cities, such as Detroit, where large Negro population have rioted or pose a threat of riot.

At the same time, some gun dealers report that the principal weapons manufacturers have cut back on civilian production because of the demands of the Vietnam war, to the extent that the normal supply of firearms for the civilian trade is not available.

In Philadelphia, the Department of Licenses and Inspections reports a 38 percent increase in the number of licenses issued in the first three months of this year over the same period of 1967. In the first two weeks in April, the period following the assassination of Martin Luther King, Jr., the increase was 69 percent over the same two weeks last year.

LAW EXPLAINED

Louis T. Menna, Jr., supervisor of the license issuance section, reported that the figure for the first three months last year was 1061. In the first quarter of this year, he said, licenses totaled 1466. Most, he said, were men concerned with protecting their businesses.

In the first two weeks of last April, there were 130 licenses issued. The same period this year saw 220.

Philadelphia's model firearms control ordinance requires licenses for all types of guns purchased since the ordinance was passed three years ago. Each application is checked by police.

In the suburbs, only hand guns are subjected to such controls.

SALES SLACKENING OFF

Bucks County Sheriff Charles A. Jones said 570 permits had been issued for hand guns so far this year, as compared to 1480 for all of 1967.

A number of gun dealers in Lower Bucks county reported a spurt in demand following the King assassination and the resulting riots, but add the demand has been slackening off in the last week. The purchasers are almost all white.

"I could have sold 100 of them two weeks ago, if I'd had them," said Harry Rutherford, owner of the Gun Craft Shops, in Fallsington. Dominick Rago, owner of the Fox Chase Gun Shop, Bristol, said, "I've been taking my stock home on weekends for fear of the shop being broken into."

BUSINESS DOUBLED

Kenneth Ritter, manager of Johnson's Sporting Goods, Croyston, said his business had doubled in the wake of Dr. King's slaying but is returning to normal.

A woman clerk in a Levittown store said, for a while, sales were better than during the hunting season. "We sold out of everything," she said.

For a four-week period ending with the third week in April, gun applications totaled 523 at the office of the Montgomery county sheriff, 86 percent higher than during the same period in 1967. But the peak week was in March, before the King assassination.

CONTROLS TIGHTENED

Montgomery County Sheriff Jeremiah Delaney, a former Norristown policeman, introduced more stringent controls over hand guns when he assumed office in January. Fingerprints and photos of the applicant are required by Delaney's office.

A 26 percent increase in permits was recorded in the first quarter of this year over the same period in 1967 at the Delaware County sheriff's office. Sheriff Paul J. McKinney who runs record checks with the FBI on gun applicants, says racial fears played a part in the increase.

In Camden, Howard Walton, of the A. W. Walton and Sons Store, 109 Broadway, said the store had pulled out of the weapons business because, "We just decided we didn't want any trouble."

[From the Chicago (Ill.) Tribune, May 5, 1968]

NINETY THOUSAND GUNS REGISTERED THROUGH CITY LAW

More than 90,000 guns have been registered under the city's new gun control ordinance, Maj. Gen. Francis P. Kane, deputy commissioner of public works, said yesterday.

Kane, who was placed in charge of the gun registrations by Mayor Daley, said he was disappointed in the number of guns registered, but expressed hope there will be a substantial increase before the deadline for registering May 15.

Kane said he thought some registrations were held back because of a suit filed last month in Circuit court by three gun owners and two gun dealers challenging the validity of the ordinance. The case is pending before Judge Nathan Cohen.

FORMS ARE AVAILABLE

The registration forms are available at police and fire stations and at the city collector's office, where the forms must be filed.

The new ordinance provides fines of \$500 for violators, including those failing to register their guns.

Persons under 18 are prohibited from possessing guns, as are narcotics addicts, the mentally retarded, and anyone who within five years has been convicted of a felony or released from prison, reformatory, or mental institution.

TOLD ABOUT CANNONS

Kane said he had received telephone calls from two persons owning cannons, one a family keepsake. In each case Kane advised the caller to write a letter giving details, and he would seek a ruling from city attorneys as to whether it is necessary to register them.

He said he also has had an inquiry from the Illinois Sesquicentennial commission inquiring as to whether the commission must register 50 Winchester model 94 rifles, donated by the manufacturer and to be given as prizes in events of the state's sesquicentennial observance.

This question also was referred to the city corporation counsel.

[From the Raleigh (N.C.) Times, Apr. 18, 1968]

AFTER RIOTS, BAN: GUN PERMITS SHOOT UP

Gun sales in Raleigh, following last week's riots, have risen but hardly "soared" as reported in Washington, Baltimore and Kansas City.

From 2 p.m. Friday, when the first permit was issued after the ban was lifted, until 1 p.m. Tuesday, 32 permits were issued. None were issued on Easter Monday.

According to Deputy Sheriff H. E. Eason, who issues the permits, this was "above normal."

In an average two days Eason said that from "two to six permits would probably be issued, although this varies daily."

"I think it was because people were afraid and felt more secure with a weapon in the home," Eason said. "But it was probably more because we had a week backlog of permits to issue. We had a rush for only two days."

Deputy Sheriff S. J. Blackley agreed that any increase was probably due to the weeks' ban which started April 5.

Blackley said he remembered "a lot of ladies—all white to the best of my knowledge" picking up permits.

Stores in Raleigh and Wake County that sell guns and ammunition vary in the increase of business reported. Terry Perry of

J. W. Perry Jr.'s in Zebulon reported an "increase of at least one third in business."

Perry said they were "mainly men but more women than usual. People not previously interested in buying guns came in. They wanted them in their homes."

Perry said "little hand guns" were the most frequent sellers.

Gordon Hill, manager of Hill's Inc. in Raleigh said business had "not been too much. It was about average."

Gun sales were not up at Carolina Gun Exchange, but ammunition sales were. Frank Allen, manager, said the store did a "heavy ammunition business on the Friday and Saturday of the rioting." The business is outside the city limits and wasn't closed by the ban.

Gun sales, Allen said, were not "noticeable up." He added, "we haven't sold more than two or three pistols this week and these were on old permits."

Other businesses, Allen said he understood from distributors were having much larger sales. "I hear there is a tremendous business in Franklin County and down in Fayetteville where the ban wasn't on—even during the riots. They have had the big business, not me."

Carl Thorne of Raleigh's Thorne's said "My guns were shipped out by station wagon during the riots. This was in case the building was broken into. Over 90 per cent of our stock was gone; we sold only by order during the riots and immediately after."

Thorne noted "some increases" in sales with both men and women. He said, "We didn't sit down and go to sleep during the trouble. We just continued to do business by order instead."

[From the Vancouver (British Columbia) Sun, Mar. 29, 1968]

WORST RIOT YEAR FEARED: GUN SALES BOOM ACROSS UNITED STATES

WASHINGTON.—Gun sales are booming across the United States as private citizens brace themselves for a violent summer.

A national survey released here shows private sales of pistols, rifles and shotguns have soared 15 to 20 per cent higher than last year.

POLICE UNRELIABLE

The greatest increase has been in the nation's largest cities—to both Negroes and whites—and in the predominantly white suburbs surrounding the metropolitan areas.

A survey of gun-shop owners indicates that in almost all cities, customers have said they expect 1968 to be the worst year yet as far as race riots are concerned, and that they no longer can rely on local police protection.

According to the survey, hand gun sales in some of the cities which were worst hit last summer, such as Cleveland and Detroit, have increased 100 per cent over last year.

In Detroit, the increase has been such that Mayor Jerome Cavanaugh recently warned: "This arms race must stop. We must return to sanity."

The owner of a gun store in the Negro northeast section of Washington told the story best of all. He said:

"I'm laughing with tears in my eyes and a pain in my heart, but I'm laughing all the way to the bank."

Another Washington salesman said many of the sales are being made to persons who have never before owned a weapon.

JUST WANT ONE

"Reputable citizens are buying pistols," he said. "They just feel they should own a gun now. Many of them are so green they don't even want to handle the gun in the store. They just want to buy one."

The survey also noted that thefts of guns from stores and private homes have shown an alarming increase.

This is particularly true in areas where there are tough registration ordinances and restrictions.

The survey reported, however, that regulations are not much of a hindrance if a person really wants to purchase a weapon.

Mail order guns are readily available, and in some cities where permits are required, they are not needed in surrounding communities. There are no federal restriction on gun ownership.

Mr. TYDINGS. Mr. President, I rise this afternoon to speak on title III of the pending legislation.

Justice Holmes once said that "general propositions do not decide concrete cases." The process of legislation is a process of discrimination and judgment. Ideologies are not useful. Blind, unthinking support or opposition have no place in the U.S. Senate.

On a number of occasions, I have spoken in opposition to title II. I now want to speak of my support for title III.

Mr. BYRD of West Virginia. Mr. President, the Senate is not in order.

The PRESIDING OFFICER. The Senate will please be in order. The Sergeant at Arms will clear the Chamber of all attachés standing around and talking. The Senate will not proceed until all attachés are compelled to leave the Chamber.

Mr. MCCLELLAN. Mr. President, I have some attachés in the Chamber who are very much needed in connection with the pending bill. I ask that they not be excluded from the Chamber.

The PRESIDING OFFICER. Attachés of Senators who need to remain in the Chamber may do so if the Senator will so inform the Chair. Of course those attachés will be permitted to remain in the Chamber.

The Senator from Maryland may proceed.

Mr. TYDINGS. Mr. President, we can all agree that the current condition of laws governing electronic surveillance is unsatisfactory. Federal law is ambiguous, and Federal practice does not conform to it. Among the States, law is not uniform.

That there is a need for Congress to act is beyond dispute. As the President's Crime Commission put it:

The present status of the law (on electronic surveillance) is intolerable. It serves neither the interests of privacy nor of law enforcement.

The interests of privacy are not served when any private individual may use electronics. And the interests of law enforcement are not served when those who need to use it in service to society cannot.

POLICE PROBLEMS

I believe that any discussion of electronic surveillance must begin with an understanding of the police. And we cannot understand the police without a glance at their history.

We inherited from England a medieval system of sheriffs, coroners, and constables. There was nothing wrong with that—as long as our society remained homogeneous, and agrarian. It did not matter then that we had no professional police force. And when one was finally created in 1884, it was sufficient that its primary purpose was patrol.

But today, we are a mobile, heterogeneous, urban, industrial society. The old methods are not sufficient. The old

methods were designed to respond to the common law offenses—murder, rape, robbery, burglary. But as society changed, so did the nature of crime.

First, a uniformed patrol was introduced to maintain order on city streets. Then a specialized detective function was added. Scientific law enforcement added a new dimension.

But the heart of the police function remained patrol. As many as 61.5 percent of the traditional common law offenses still occur on the streets or on public property. Some can be deterred by patrol; others can be quickly responded to by patrol.

In an earlier day, this was sufficient. In a small town where everybody knew everybody else's business, it was possible to clear crimes quickly. And when patrol could not do it, the detective took over. His function was well suited to common law crimes. They are single incidents, not part of an overall pattern of crime.

That is pretty much where we stand now. We have units for patrol, detective, traffic, juvenile, and vice. But as society has grown and become more complex, our success in solving crimes has declined. Now, our clearance rates in crimes with no named suspect is 12 percent. That is, we will solve one out of every eight crimes. That is not a very good record—particularly since we depend for deterrence on a potential criminal believing that there is a high probability if he commits a crime that he will be caught and punished.

EARLY ORGANIZED CRIME

One of the reasons our record is so poor is that our law-enforcement structure is ill suited to the growth of new kinds of crimes. One of these new kinds is organized crime.

It is true that we have always had some form of organized crime. There were mobs in the 19th century. There were frontier gangs like the James', Daltons, and Youngers. And there were great city-wide gangs, usually in alliance with political machines.

There have been city gangs, of various ethnic composition, at various times. But by the 1930's, everywhere, the so-called Mafia—Sicilians—were gaining dominance of organized crime.

According to the Crime Commission, the "American system was not designed with organized crime in mind; and it has been notably unsuccessful to date in preventing such organizations from preying on society."

LA COSA NOSTRA

Today, organized crime in America—typified by La Cosa Nostra—consists of the 24 core groups, operating as criminal cartels in our major cities. The wealthiest and most influential are in New York, New Jersey, Illinois, Florida, Louisiana, Nevada, Michigan, and Rhode Island. The estimated strength of these groups is 5,000, of which 2,000 are in New York alone.

Each of the 24 groups is known as a "family." Membership varies from 700 down to five. Most cities have only one family, but New York City has five. Family organization is rationally designed to insulate one layer from another, and to protect members from law enforcement.

Family structure parallels that of Mafia groups on the island of Sicily. Each family is headed by a boss. Beneath him is the underboss. He collects information for the boss, relays messages to him, and passes instructions for him.

On the same level as the underboss is a "consigliere," usually an elder member whose judgment is valued. Below him are the "caporegime," who serve either as buffers between the top men and lower level personnel, or as chiefs of operating units.

That is, there may be one in charge of numbers, another for heroin, another for loan-sharking operations. They are used to maintain insulation from the police, and are like vice presidents.

Below the caporegime are the "soldati." They actually operate the illegal enterprise, supervising employees. It is they who oversee the numbers, heroin, loan sharking, infiltration of business, and highjacking.

UNIQUE PHENOMENON

But organized crime cannot be seen merely as a collection of groups which engage in narcotics, gambling, and loan sharking. There are at least two aspects of organized crime which make it unique. They are functions not found in other forms of criminal activity—"enforcement" and "corruption."

The "enforcer" maintains organizational norms by arranging to have potential deviates warned, and, when necessary, punished. The "corrupter" establishes relationships with public officials, police officers, and other potentially useful people to insure both their active assistance as well as their noninterference.

At the top of the structure is the "commission," the ruling body of the 24 families. It is a legislature, supreme court, board of directors, and arbitration board. It is composed of the bosses only of the most powerful families, but has authority over all. Membership varies from between 9 and 12.

Currently, nine families are represented on the commission—five from New York, and one each from Buffalo, Philadelphia, Detroit, and Chicago. Within the commission, men with longer tenure, larger families, and greater wealth are more powerful than others. The balance of power lies and has lain for some time, with the New York leaders.

GAMBLING

Organized crime has never limited itself to one illegal activity. Today it is active in, and largely controls, professional gambling. This is its greatest source of revenue, estimated at an annual net of \$7 billion.

There is middle-class gambling—as on the horses and other sporting events. And there is the lottery known as the "numbers" or "policy," which preys on the poor. In the numbers, the odds against winning are 1,000 to 1; the payoff, at best, is only 600 to 1. Its effect is to take out of the slums money which might otherwise be used for food, clothing, housing, and education.

Syndicated gambling uses enormously sophisticated devices which make detection nearly impossible.

I may say at this point that I speak from experience, having served as U.S.

attorney for some 3 years, and having had experience in organized crime operations in my own area.

One example is the so-called black box, a device planted in an empty apartment, which automatically bucks calls to another location. Police who finally locate the apartment to which calls apparently are being made, raid the apartment, and find nothing but the box.

The great need is to deprive the syndicate of its means of doing business—the telephone.

NARCOTICS FEEDS CRIME

Narcotics, principally heroin, is another important source of organized crime's revenue. It is estimated at \$350 million a year, more than half of which is sold in New York, and the rest primarily in Chicago, Los Angeles, Detroit, Washington, Philadelphia, Baltimore, and Newark.

Narcotics is certainly the most pernicious of organized crime's activities. And one of the reasons is that it has a multiplier effect. An impoverished addict must find cash to sustain his habit; and he inevitably turns to crime. The estimates of total street crimes committed by narcotics addicts are as high as 50 percent.

Addiction is, of course, a disease. But the importation and distribution of drugs is a crime. Although the traffic in narcotics is run, at least in the East, by the syndicate, the top men have nothing directly to do with it. They simply provide the capital, and make policy. The absence of overt criminal acts by the top men makes traditional patrol and observation worthless.

LOAN SHARKING GROWING

Loan sharking is right now the major growth activity of organized crime. It is now bringing in about the same amount per year as narcotics—\$350 million—but has the potential of surpassing even gambling as the major source of revenue.

Loan sharking is organized into a hierarchy. At the top is a La Cosa Nostra leader, who lends to trusted lieutenants large sums of cash, usually at the rate of 1 percent a week. The lieutenants give money to soldiers, at a rate of perhaps 3 to 5 percent a week. They, in turn, finance the level loan sharks who deal with people who need money. The rates vary, but usually are about 20 percent a week.

The setup includes "steerers," who bring potential borrowers to the loan sharks. They are anyone who has contact with large numbers of people. For example, a bartender makes an excellent steerer.

Victims come from every stratum of society—professional, industrial, commercial—especially high competition business like the garment industry—contractors, owners of small businesses, narcotics addicts, bettors.

They are people to whom—for one reason or another—legitimate channels of credit are closed.

Repayment is compelled by force. There is a special man, the enforcer, whose job it is to see that debts are repaid. Often debtors are forced into criminal activity to repay the loan shark. They may embezzle, act as numbers writers, or serve as fingerman for burglary rings; or, as,

apparently, in the case of James Marcus, of New York, they may betray the public trust by giving special favors to syndicate-owned businesses.

CORRUPTION OF BUSINESS

The next major activity of La Cosa Nostra is the corruption of legitimate business. In many cities, the syndicate now dominates the distribution of jukeboxes and vending machines. In many cities it has or is obtaining monopolies in laundry and diaper services, garbage disposal, liquor distribution, nightclubs, food wholesaling, record manufacturing, and garment manufacturing.

Any business which is subject to cyclical shifts or other ups and downs is vulnerable. Often the small, marginal businessman—just the one who most needs society's protection—is the one driven out by the Cosa Nostra. In general, organized crime is most interested in businesses with a high cash turnover, and which therefore lend themselves to "skimming."

Control is obtained in one of three ways: First, the syndicate decides to move in, and invests great amounts of money acquired from illegal ventures. Second, it may accept business interests in lieu of repayment of gambling or loan shark debts. La Cosa Nostra never merely kills; it first asks what a debtor can do for it. Finally, there are the old tried and true methods of extortion, which are used freely to take over businesses.

ORDER OF BUSINESS

Mr. TYDINGS. Mr. President, I ask unanimous consent that I may yield to the Senator from West Virginia for the purpose of introducing a distinguished delegation. After that I shall ask for the floor so that I may continue my speech on title III.

The PRESIDING OFFICER. Without objection, the Senator from West Virginia is recognized.

VISIT TO THE SENATE BY VIETNAMESE PARLIAMENTARY DELEGATION

Mr. BYRD of West Virginia. Mr. President, the U.S. Senate today is honored by the presence of a Vietnamese parliamentary delegation.

I am very pleased to present to the Members of the Senate the following Vietnamese Senators: Senator Nguyen Huy Chieu, Senator Nguyen Van Chuan, Senator Hong Son Dong, Senator Nguyen Gia Hien, Senator Nguyen Van Ngai, and Senator Pauline Tho.

I am also pleased to present to the Senate the following deputies from the Lower House: Deputy Chau Sokan, Deputy Do Trong Nguyen, Deputy Nguyen Trong Nho, Deputy Nguyen Khac Tan, and Deputy Tran Duy Tu.

I am also happy to present the escort officer, Mr. William H. Mersh.

On behalf of the Senate, I extend a very warm welcome to our distinguished group of visitors. [Applause, Senators rising.]

Mr. President, I ask unanimous consent that the Senate stand in recess for 2 minutes to enable Senators to personally greet our distinguished guests.

The PRESIDING OFFICER. Without objection, it is so ordered.

At 3 o'clock and 56 minutes p.m., the Senate took a recess until 3:58 p.m. the same day; and on the expiration of the recess, the Senate reconvened, when called to order by the Presiding Officer (Mr. Young of Ohio in the chair).

OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1967

The Senate resumed the consideration of the bill (S. 917) to assist State and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government, and other purposes.

Mr. TYDINGS. After takeover, a professional arsonist may burn the business; and the insurance is collected by the syndicate. Or the business can be stocked, and the stock sold quickly at bargain prices, driving the business into bankruptcy. There are about 250 of these bankruptcy frauds each year, netting \$200,000 per job.

Sometimes, as in the case of laundry, vending machines, and trash collection, La Cosa Nostra will decide to stay in the business. Then it will use force and intimidation to drive competitors out of business. And once it has a monopoly, quality declines, and prices rise.

CORRUPTION OF UNIONS

The final major activity of organized crime is the corruption of unions. Control of the labor supply through control of unions can prevent unionization of some industries and get sweetheart contracts in others.

Control of unions creates the opportunity to steal union funds, to extort employers, to manipulate union welfare and pension funds and insurance contracts. Further, such control provides additional opportunity for gambling, loan sharking, and systematic theft. Many industries—trucking, construction, waterfront—have been “persuaded” to accept great amounts of illegality to ensure labor peace.

Sometimes union membership itself becomes a matter of grace, dispensed by La Cosa Nostra officials, rather than a right guaranteed to every man by law. All this makes a mockery of much of the social legislation of the past 50 years.

PREYS ON THE POOR

The most insidious aspect, however, of La Cosa Nostra is that it preys on the poor. Indeed, the relationship of organized crime and the poor is close and essential. The poor depend on organized crime to dispense services—such as narcotics, the numbers. Organized crime depends on the poor for much of its revenue.

Take, for example, narcotics. Heroin addiction is a disease of the poor. Saying that it is a consensual crime is like saying that the man with heart disease wants it. Of the 59,720 known heroin addicts, more than 50 percent are Negroes. Fifty-two percent of all known addicts live in New York State, mostly in Harlem and other ghettos.

And, of course, they must commit crimes to sustain their habits. Those who saw that striking film “The Cool World” can understand the relationship between organized crime and the poor. It was stated well by the President's Commission on Civil Disorders:

With the father absent and the mother working, many ghetto children spend the bulk of their time on the streets—the streets of a crime-ridden, violence-prone, and poverty-stricken world. The image of success in this world is not that of the “solid citizen,” the responsible husband and father, but rather that of the “hustler” who promotes his own interests by exploiting others. The dope sellers and the numbers runners are the “successful” men because their earnings far outstrip those men who try to climb the economic ladder in honest ways.

Young people in the ghetto are acutely conscious of a system which appears to offer rewards to those who illegally exploit others, and failure to those who struggle under traditional responsibilities. Under these circumstances, many adopt exploitation and the “hustle” as a way of life, disclaiming both work and marriage in favor of casual and temporary liaisons. This pattern reinforces itself from one generation to the next, creating a “culture of poverty” and an ingrained cynicism about society and its institutions.

The Reverend Martin Luther King, Jr., understood this problem well:

The most grievous charge against municipal police is not brutality, although it exists. Permissive crime in ghettos is the nightmare of the slum family. Permissive crime is the name for organized crime that flourishes in the ghetto—designed, directed, and cultivated by the white national crime syndicates, operating numbers, narcotics, and prostitution rackets freely in the protected sanctuaries of the ghettos. Because no one, including the police, cares particularly about ghetto crime, it pervades every area of life.

The poor themselves understand the problem. Recent surveys of the attitudes of people living in Harlem and Watts ranked crime and narcotics addiction, along with housing and jobs, as the most serious problem of the ghetto.

Hearings held in the 89th Congress by the Subcommittee on Executive Reorganization of the Senate Committee on Government Operations established the same thing. As one witness put it:

When people talked about “problems of Harlem” or “even problems in my block,” the mention of integrated schools, busing, police brutality or some other problem . . . just don't get much attention or mention . . . they chose to talk about inadequate housing, and the problems which are offspring of that major problem, such as crime, dope addiction, wines, and inadequate police protection.

THE “UNTOUCHABLES”

La Cosa Nostra does have a kind of immunity from law enforcement. It must have it, to insure its ability to operate with minimal risk. And so it systematically corrupts public officials at all levels of government.

Zoning, land acquisition, contract procurement—these are functions of government in which organized crime has a great stake. And as the scope of governmental activity grows, so does the necessity of the syndicate to corrupt.

The mere amount of money controlled by La Cosa Nostra makes enormous its ability to corrupt. With an estimated an-

nual net of \$10 billion, La Cosa Nostra is the richest corrupter in history. As Meyer Lansky, described as La Cosa Nostra's financial wizard by Life magazine, put it, “We're bigger than United States Steel.”

Politics requires money. A conservative estimate by Alexander Heard, the political scientist and expert on money and politics, is that 15 percent of all political contributions come from criminal sources.

At various times, as Senate hearings have shown, organized crime has been the dominant political force in such cities as New York, Chicago, Miami, and New Orleans. La Cosa Nostra nearly took over Portland, Oreg., and Kansas City, Mo. Smaller communities like Cicero, Ill., and Reading, Pa., have been virtual baronies of organized crime.

It is in Illinois that corruption has been, perhaps, most blatant. For years, the “West Side block” has fought against legislation contrary to the interests of organized crime—including nearly every piece of decent social legislation proposed. One of its associates, Roland Libonate, became a Member of the U.S. House of Representatives, a member of the House Judiciary Committee.

In New York, a newly nominated judge pledged his undying loyalty to a Cosa Nostra boss, who helped him to obtain his seat on the bench. This was fully documented by the Kefauver committee.

How much governmental corruption can a democratic society tolerate? Our system of government depends on the disinterested judgment of the public's representatives. If they are not free to give it, what does this do to our system? There is no true civil liberty anywhere where the government is corrupt.

The names of organized crime's leaders are well known. Does the public not wonder why, if they are such criminals, they remain free to engage in criminal activity? What is our answer?

This is how the President's Crime Commission put it:

In many ways, organized crime is the most sinister kind of crime in America. The men who control it have become rich and powerful by encouraging the needy to gamble, by luring the troubled to destroy themselves with drugs, by extorting the profits of honest and hard-working businessmen, but collecting usury from those who oppose them, by bribing those who are sworn to destroy them. Organized crime is not merely a few preying on a few. In a very real sense it is dedicated to subverting not only American institutions, but the very decency and integrity that are the most cherished attributes of a free society. As the leaders of Cosa Nostra and their racketeering allies pursue their conspiracy unmolested, in open and continuous defiance of the law, they preach a sermon that all too many Americans heed: The government is for sale; lawlessness is the road to wealth; honesty is a pitfall and morality a trap for suckers.

Or, as a social worker describing life in the ghetto put it:

When a noted criminal is caught, the fact is the principal topic of conversation among boys. They and others lay wagers as to how long it will be before the criminal is free again, how long it will be before his pull gets him away from the law. The youngsters soon learn who are the politicians who can

be depended upon to get offenders out of trouble, who are the dive-keepers who are protected. The increasing contempt for law is due to the corrupt alliance between crime and politics, protected vice, pull in the administration of justice, unemployment, and a general soreness against the world produced by these conditions.

In other words, when the government is unable to enforce the law, people, particularly young people, realize that the law is not worthy of allegiance. When top criminals, known to all, live in big houses, in exclusive neighborhoods, drive plush cars, crime is seen as the road to success.

Young people know that only the small-time crook is vulnerable to the law. The higher one goes, the more crime he engages in, the greater is his immunity from law. The ambitious young man realizes that he can rise through crime—from petty strong-arm man to powerful pillar of community.

LAW AS DETERRENCE

To establish that organized crime is real and pernicious is not to establish the need for electronic surveillance. After all, if it were possible to destroy organized crime through conventional techniques, we would not be debating this issue today.

The function of our criminal law is to keep criminal activity within tolerable limits. Most people are not touched by the criminal law. They obey the rules of society because they subscribe to those rules.

Prohibitions do not work against many petty criminals, because their criminal activity is the result of factors criminal law cannot control—poverty, discrimination, or the like. The criminal law, for these people, is reformative only.

But organized crime presents an entirely different kind of challenge. Whatever the value of law as deterrence elsewhere, it does have meaning in organized crime. The crimes of LCN are not crimes of passion or desperation. They are crimes of people who calculate carefully the risks versus the gains. Change the balance, and they change their behavior.

From a legal standpoint—

The President's Crime Commission said—

organized crime continues to grow because of defects in the evidence gathering process.

Criminal law, in other words, does not act by itself. To bring it into play, it is necessary to develop legally admissible evidence.

FEAR DETERS TESTIMONY

In organized crime, this means witnesses, because LCN keeps no books or records which can be made available for law-enforcement inspection. But, as the Crime Commission said:

Under present procedures too few witnesses have been produced to prove the link between criminal group members and the illicit activities that they sponsor.

Victims do not ordinarily testify either because they fear for their lives, or because they are themselves involved in the crime.

Mr. President, victims did not testify when I was U.S. attorney for Maryland;

they did not testify when my predecessor held office; and they do not today, because they fear for their lives or because they are involved in the crime. The addict will not turn in his pusher, because he relies on that criminal for a "fix." The victim of extortion, already forced by fear to pay, will not then risk his life.

Insiders are kept quiet by an ideology of silence, underwritten by a completely realistic fear that death comes to those who talk—often not mere death, but death by torture. One individual, for example, who cooperated with the police, was hung on a butcher's hook, had water thrown over his naked body, and was given shocks with a cattle prod on his private parts over a period of days until death finally came.

No one has been prosecuted for that murder. And photographs of it have been shown to loan shark victims to secure repayment of debts. Can people such as these victims really be expected to step forward to testify?

Unimplicated witnesses have been, and are now, regularly bribed, threatened, or similarly murdered. Scores of cases have been lost because key witnesses turned up in rivers in concrete boots. Victims have been crushed along with their automobiles by hydraulic machines in syndicate-owned junkyards.

It is true that significant cases have been made by law-enforcement agents, using conventional techniques. They have, for the most part, based their cases on the testimony of brave witnesses.

FEDERAL FAILURE

The Department of Justice has had the finest investigative resources in the Nation. Its Organized Crime Section is understaffed, overworked, and underpaid. But it is staffed by honest, competent, imaginative, and dedicated men, as have been the FBI, IRS, and FBN agents assigned to organized crime.

But look at the record. Between 1961 and 1966, the number of federally secured convictions of organized criminals rose from 73 to 477. That was a real accomplishment, but it did not touch the members of La Cosa Nostra.

LCN has 5,000 members. Between 1961 and 1966, indictments were obtained against 185; convictions against 102. That is 2 percent. Of the 102, a significant proportion, 60 percent, were convicted of tax evasion. LCN members are learning that by declaring on their tax returns more and more under "miscellaneous income," they can avoid prosecution.

ATTACK ALL LEVELS

To do something substantial about organized crime, it will be necessary first to attack it on all levels simultaneously. Like a corporation, LCN functions regardless of individual personnel changes. To destroy such a "corporation," we must attack it on all levels simultaneously, changing the balance of deterrence at whatever point the individual enters the organization.

Organized crime is intentionally structured to avoid conventional sources of evidence. Bosses and workers do not communicate. Often they do not know each other's identity. All commands, in-

formation, complaints, and money flow back and forth through middle men.

To be able to intercept or otherwise listen to communications is essential because leaders perform no overt criminal acts which can be witnessed by police or citizens, who are not themselves involved.

Live insider testimony is rarely obtained, for reasons I have already described. No citizen, policeman, victim, witness, or document can tie together the various levels of organized crime.

Mr. President, it is possible to get an undercover agent come in from another State, and risk his life to try to get inside organized crime. The prosecutor then has quite a responsibility on his shoulders.

When I was the U.S. attorney for Maryland, I had such a man, a Treasury agent, come in from another State to get on the inside to try to develop a case against two of the top members of the mob in Maryland.

He began to make a case. Somehow or other, it was discovered that he was an agent. We had to send agents in to get him, make a public announcement in the newspapers, and get him out of town, because they brought in three "torpedoes" from Chicago to kill this young man.

A brother U.S. attorney of mine was not so lucky. Two of his undercover men were murdered. It is very difficult to get an undercover man into organized crime. It is quite a responsibility on one's shoulders, when you realize the consequences.

Scientific evidence, like hair, fingerprints, or blood, may be found and used against whoever committed the specific crime under investigation. But this does not help to attack the corporate structure.

WEAKNESS OF INFORMANTS

Informants, as we have seen, are of limited value. They must have reasons for giving evidence to the police. The higher one goes in the structure, the fewer are the reasons for giving evidence. On the contrary, there is a powerful counterreason—fear of death.

When an informant is obtained, he is likely to be deeply implicated. If agents act on his information, they risk unmasking the informant, thereby precluding further utility. His value may be too great to run this risk. Most information, moreover, deals with past acts. It is useful in solving crimes, but not preventing them.

Accomplice testimony is little better. Accomplices have the privilege of invoking the fifth amendment. Even with a grant of immunity, they may prefer, as Samuel Giancana, leader of the Chicago family, did, to go to prison, rather than testify.

Besides, there is no way, other than the threat of purjury, to compel truthful testimony. Purjury convictions are difficult to obtain, and they are not useful as a deterrent for murderers.

Conventional methods of building cases, in other words, simply are not sufficient. In organized crime, we are without physical evidence, informants, accomplices, and witnesses. We are practically helpless.

ELECTRONICS NEEDED

That is why I must favor title III. I know it is no panacea. But I believe that with it, something can be done. Organized criminals must communicate to make plans. When they live near one another, they can meet. When they operate over a large area, they must use the telephone. Electronic surveillance and wiretapping can intercept these communications; and if these interceptions are justified in advance, and are authorized by a judge of competent jurisdiction, they can be used in evidence.

What can be obtained by the use of these modern techniques is truly disturbing. Prof. G. Robert Blakey, testifying before the Subcommittee on Criminal Laws, described the product of a small portion of a 3-year surveillance of the New England Cosa Nostra boss:

Documents establish the existence of the Cosa Nostra; they establish its structure; they establish the functions of the various members—for example, of the boss—they give you the size of various families; they give you the geographical extent of their operations; and they indicate that the Cosa Nostra actively operates in such states as Rhode Island, Illinois, Maryland, Washington, New Jersey, Massachusetts, Florida, and Pennsylvania. They give you also an indication that it operates on an international scale; apparently a group in Canada. They give you an indication of some of the illegal activities by the Cosa Nostra, including murder, kidnapping, extortion, fraud, bribery, loan sharking, and gambling. They give you some indication of their legal activities—the infiltration of business, including legitimate gambling, labor unions, racetracks, vending machines, and liquor. They show you that the associates of this one boss are in every major area of the country and consist of every hood who has graduated from the drugstore cowboy stage; all were contacted at one time or another by Patriarca. The only description that I can give which accurately capsulizes those airtels is this: Imagine if you could have had an electronic device in on an Italian duke in the 16th Century, such as Cesare Borgia, who was dispensing largesse, ordering killings, and all that sort of thing. That is exactly what you had when you put the device in on Raymond Patriarca, and it was not Italy; it was the United States, and it was not the 16th Century; it was today.

Under the bill before us, with a proper showing of probable cause and close judicial supervision, this surveillance could have been used to indict and convict Mr. Patriarca. That he cannot be held responsible for all his criminal activities, with all that we know, is incredible.

Moreover, at least one murder might have been prevented. During the 3 years the FBI was monitoring the activities of Mr. Patriarca, it was able at least six times to prevent the murder of William Marfeo. After July 1965, when the device was removed by order of the Attorney General, Marfeo was killed.

We must change the law to change this result.

This is not, of course, the only solution. More is needed than an evidentiary substitute for live testimony. To make criminal sanctions effective, we will need time, talent, and personnel. But even with time, talent, and personnel—as we have learned—we must have this legal tool.

EXPERTS SUPPORT

This was the conclusion of the British Privy Councillors, who studied a 20-year use of electronics in England. They found:

... but so far from the citizen being injured by the exercise of the power in the circumstances we have set out, we think the citizen benefits therefrom. . . . We cannot think it to be wise or prudent to take away from the Police any weapon or to weaken any power they now possess in their fight against organized crime of this character. . . .

It was also the conclusion of a majority of our own Nation's Crime Commission.

A majority of the members of the Commission believe that legislation should be enacted granting carefully circumscribed authority for electronic surveillance to law enforcement officers to the extent it may be consistent with the decision of the Supreme Court in *People v. Berger* and, further, that the availability of such specific authority would significantly reduce the incentive for, and the incidence of, improper electronic surveillance.

Each of us must make our judgments about the constitutionality of title III. I, for one, am convinced that it is constitutional.

CONSTITUTIONAL EVIDENCE

Traditionally, the fourth amendment was thought to prohibit interception of any communication, without a warrant, and without consent of one of the participants. (*Silverman v. U.S.*, 365 U.S. 505 1961; *Clinton v. Virginia*, 377 U.S. 158 1964)

The Constitution, on the other hand, was thought to place no limitation whatever on the interceptions of private persons. (*Burdeau v. McDowell*, 256 U.S. 465 1921). If one party consented, no constitutional issues were presented, regardless of where the interception took place. For once a participant agreed to testify, the stake was truth, not privacy. (*Lopez v. U.S.*, 373 U.S. 427 1963; *Osborn v. U.S.*, 385 U.S. 323 1966)

If the interception was accomplished without a physical invasion into a constitutionally protected area, the question of consent was irrelevant. (*Olmstead v. U.S.*, 277 U.S. 438 1928; *Goldman v. U.S.*, 316 U.S. 129 1942)

The fifth amendment, in contrast, placed no ban on the use of electronic surveillance techniques. (*Olmstead v. U.S.*, supra; *Cf. Hoffa v. U.S.*, 385 U.S. 293 1966; *Stroud v. U.S.*, 251 U.S. 15 1919)

Finally, the sixth amendment was thought to prohibit only the covert interrogation of an indicted defendant with the aid of electronic surveillance techniques. (*Massiah v. U.S.*, 377 U.S. 201 1961; *McLeod v. Ohio*, 381 U.S. 356 1965)

But two recent decisions by the Supreme Court have greatly refined our constitutional theory in this area. These were *Berger v. New York*—388 U.S. 41 1967—and *Katz v. U.S.*—389 U.S. 347 1967. I would like to discuss both of these decisions in some detail.

BERGER CASE

The *Berger* decision reversed, by a vote of six to three, the conviction secured through a court-ordered eavesdrop, issued pursuant to section 813(a) of the New York Code of Criminal Procedure, of

a public relations man for conspiracy to bribe the chairman of the New York State Liquor Authority.

Mr. Justice Clark delivered an opinion for the Court, in which the Chief Justice and Associate Justices Brennan, Fortas, and Douglas joined. Justice Douglas and Stewart each concurred in the reversal for reasons other than those in the majority opinion. And Justices Harlan, Black, and White dissented.

Broadly, the majority struck down the New York statute because it failed to meet certain standards which the Court considered necessary in a law authorizing eavesdropping. Significantly, they indicated that a statute which met those conditions would be constitutional.

The dissenters, on the other hand, would have upheld the statute as administered. Really, the majority and the minority did not disagree on the answers, as much as on the questions. Indeed, if they were presented tomorrow with a new statute, constructed according to the specifications of the majority, and administered by the criteria of the dissenters, they almost certainly would uphold the statute by a large majority.

In short, the Court's opinion was clearly an invitation to Congress and the State legislatures to draft fair, effective, and comprehensive electronic surveillance legislation.

That is why title III was drafted as it was, to follow the guidelines set out in the *Berger* and *Katz* cases.

KATZ CASE

The *Katz* decision reversed by a vote of seven to one the conviction of a Los Angeles gambler for the interstate transmission of gambling information in violation of title 18, United States Code, section 1084.

Mr. Justice Stewart delivered the opinion for the Court in which the Chief Justice and Associate Justices Brennan, Fortas, Douglas, White, and Harlan concurred. Justices Brennan, Douglas, Harlan, and White also filed separate concurring opinions. Justice Black dissented, and Justice Marshall did not participate.

Broadly, the Court reversed because the Federal agents who had electronically overheard *Katz's* conversations in a public telephone booth had failed to obtain prior judicial authorization.

Significantly, the Court indicated that the agents could constitutionally have obtained a warrant. Whatever doubts might have remained after *Berger* about the constitutionality of electronic surveillance were unequivocally dispelled.

At this point in my speech, Mr. President, I ask unanimous consent to have printed in the *Record* a detailed analysis of the *Berger* and *Katz* decisions.

There being no objections, the analysis were ordered to be printed in the *Record*, as follows:

BERGER AGAINST NEW YORK

Mr. Justice Clark began his opinion with a careful delineation of the issues which he felt faced the Court. He noted that *Berger* essentially challenged the New York statute on three grounds: 1) the statute on its face set up an unconstitutional system of trespassory intrusions into constitutionally protected areas, 2) it authorized searches for "mere evidence", and 3) electronic surveil-

lance constituted a violation of the privilege against self-incrimination. 388 U.S. at 93-94.

Mr. Justice Clark immediately relegated to a footnote Berger's contention that the statute could not stand because of the evidence per se rule. 388 U.S. at 44 n.2. This contention was, he said, settled adversely to Berger by the Court's recent decision in *Warden v. Hayden*, 387 U.S. 294 (1967), which overturned the old doctrine. Justices Harlan and White explicitly agreed with the majority on this score. Only Mr. Justice Douglas lamented the passing of the rule. He would have employed it to strike down all electronic surveillance however authorized or limited.

Mr. Justice Clark next announced the holding of the majority: "... the language of New York's statute is too broad in its scope resulting in a trespassory intrusion in a constitutionally protected area and is, therefore, violative of the Fourth and Fourteenth Amendments." 388 U.S. at 44.

The recognition by a majority of the Court that the constitutionality of electronic surveillance was properly handled solely in terms of the search and seizure standards of the Fourth Amendment was important. The American Civil Liberties Union of New York as amicus strenuously pressed on the Court First Amendment objections to the New York statute. They presented an able brief arguing that all electronic surveillance—court order or otherwise—had an unconstitutionally inhibiting effect on free speech. The Court found it unnecessary to discuss this point. We may, therefore, infer that the Court has rejected it on the level of a principle which would render a court order system per se unreasonable. Indeed, Mr. Justice Harlan in dissent explicitly makes the point that the First Amendment would only have a case by case impact in this area. 388 U.S. at 98.

The majority's similar treatment of Berger's Fifth Amendment self-incrimination claim carries with it an identical inference. We may safely conclude that there is no danger now of the Court's expanding the traditional scope of the privilege against compulsory self-incrimination into an insuperable barrier to court order electronic surveillance. This conclusion is buttressed by the treatment the dissenters accorded this claim. Both Justices Harlan and White dismissed the claim with cryptic cites to recent opinions of the Court such as *Hoffa v. United States*, 385 U.S. 293 (1967), which hold that a finding of compulsion is a necessary predicate to the application of the privilege. 388 U.S. at 97 n.4, 107.

Having thus announced the holding of the majority, Mr. Justice Clark moved to an analysis of the case. He first set out a short description of the facts of the case—which, it might be added, constituted a truly frightening example of the danger governmental corruption poses in a society that today finds so many aspects of its business and private life regulated by government. Next he gave a short review of the legal and factual history of eavesdropping, covering the ground from the old fashioned practice of listening outside windows to modern techniques such as wiretapping and bugging. Finally, he reviewed the history of the Court's own dealing with the constitutional principles involved in electronic surveillance.

After noting that the standard was the same for federal and state authorities—and that the standard was the "reasonableness" of the search under the Fourth Amendment and the opinions of the Court applying that Amendment—Mr. Justice Clark subjected the face of the New York statute to a detailed analysis. First, he noted with approval that the statute employed the court order technique with its "neutral and detached magistrate." 388 U.S. at 59. He then raised, but did not press, an objection going to the

difference in terminology employed by the Fourth Amendment and the statute on the question of pre-search justification. The Fourth Amendment says "probable cause," while the statute said "reasonable ground." In any event, he then moved to what the majority found to be the central objection to the statute: its "blanket grant of permission to eavesdrop... without adequate judicial supervision or protective procedures." 388 U.S. at 60.

Mr. Justice Clark first noted with disapproval that the statute was not limited to "specific crimes" and that the statute did not require a description of the "type of conversations" to be overheard. 388 U.S. at 56-57. Absent this sort of particularization, the statute gave, he said, the officer executing the order "a roving commission." 388 U.S. at 59. In contrast, Mr. Justice Clark held up for a model the procedures used to approve the use of electronic surveillance techniques given strong approbation by the Court in *Osborn v. United States*, 305 U.S. 323 (1966). There, federal officers sought judicial authorization for the overhearing of bribery conversations, which the agents had probable cause to believe were going to take place at a meeting in a lawyer's office on a particular afternoon. For Mr. Justice Clark, the face of the New York statute did not contemplate that sort of limited, discriminating use of electronic surveillance techniques. Its authorization was blanket in all cases.

Mr. Justice Clark pointed out next that the face of the statute in much the same way apparently automatically authorized a two-month period of continuous surveillance. This was the equivalent of authorizing a series of intrusions, he said, even though a single limited showing of probable cause might have been made. In contrast, *Osborn* had upheld a surveillance carefully tailored to intrude only to the extent required to meet the limited objective established as reasonable by the showing of probable cause. In *Osborn*, the constitutional standard of reasonableness was met, for "no greater invasion of privacy was permitted than was necessary under the circumstances." 388 U.S. 57. The *Osborn* authorization, too, envisioned a quick termination of surveillance once the officer's objective was achieved. In contrast, the New York statute apparently permitted the surveillance to continue for the statutory period even though the objective for which the order had been sought may have been realized. Extensions could also be obtained on the mere showing that it was in the "public interest." No new showing of probable cause was apparently required. The New York statute, in short, failed to require a showing of probable cause proportionate to the expected duration of the electronic surveillance. As Mr. Justice Stewart observed in his concurring opinion: "The standard of reasonableness embodied in the Fourth Amendment demands that the showing of justification match the degree of intrusion." 388 U.S. at 69. A showing that a single meeting would occur justified only a limited period of surveillance. A showing of a course of conduct involving the specific offense would thus be necessary to justify longer surveillance.

Finally, Mr. Justice Clark recognized what is the distinct difference between the conventional warrant and the electronic surveillance warrant: the electronic surveillance warrant depends for its success on the absence of notice. Yet Mr. Justice Clark observed the New York statute required no showing of "special facts" or "exigent circumstances" to overcome the normal requirement of pre-search notice. Here Mr. Justice Clark was referring to the analogous situation sustained by the Court in *Ker v. California*, 374 U.S. 23 (1963), a case in which he authored the majority opinion that upheld an unannounced entry to arrest and search where there was reasonable fear that announcement might result in the destruc-

tion of evidence otherwise lawfully subject to seizure. Such a showing of "special facts" or "exigent circumstances" would unquestionably be met by a legislative requirement that judicial authorization for the use of electronic surveillance techniques be conditioned on a showing, for example, that "normal investigative procedures have been tried and have failed or reasonably appear to be unlikely to succeed if tried." This is the English standard now for the use of wiretapping on the Home Secretary's warrant. Devlin, *The Criminal Prosecution in England* 65-69 (1958). Mr. Justice Clark observed, too, that there was no requirement of postsearch notice. No "return" was required to be filed. 388 U.S. at 60. This requirement, in contrast, is a necessity on conventional warrants Cf. *Fed. R. Crim. Proc.* 41(d).

Next Mr. Justice Clark mentioned the question of legislative need. But he treated it only lightly, for he found the question of need not determinative. The majority's blueprint for constitutional electronic surveillance was required by the interest of privacy independent of the interests of justice. Their standard was no mere "formality." 388 U.S. at 63. It was not, however, "inflexible, or obstinately unyielding to the legitimate needs of law enforcement." *Id.* Instead, it was merely the "basic command of the Fourth Amendment." *Id.*

Finally, Mr. Justice Clark indirectly referred to the opinions of the dissenters and the suggestions there made that no warrant or statute could be drawn to meet the majority's requirements. He then conceded if that were true the fruits of eavesdropping had to be barred under the Fourth Amendment. But he followed his concession with the reminder that the Court had approved the careful use of electronic surveillance techniques in the past and suggested that the majority was not willing to make the "precincts of the home or office... sanctuaries where the law can never reach." 388 U.S. at 63. The Court, he said, only wanted the use of these techniques to meet "a constitutional standard." 388 U.S. at 64. The New York statute for them did not meet that standard. Had it been drafted differently, it would have been sustained. Because it was not, it had to be struck down.

Mr. Justice Douglas's concurring opinion indicates he would have preferred to strike down all electronic surveillance using the now overruled evidence per se doctrine. In this, he was alone. Failing this objective, he joined the majority opinion because it would allow "surveillance" only under safeguards he considered "minimal." 388 U.S. at 64.

Mr. Justice Stewart concurred only in the result. On the merits of the statute, he agreed with Justices Black, Harlan and White: the New York law was "entirely constitutional." 388 U.S. at 68. For him, like the others in dissent, the real question, however, was the validity of "this search." *Id.* He found the issue close, but ultimately concluded that the affidavits on which the court order had been obtained did not meet the "most precise and vigorous standard of probable cause" he felt necessary to "justify an intrusion" by electronic surveillance. 388 U.S. at 69. He voted, therefore, to reverse.

Mr. Justice Black filed a long dissent, which began by accusing the majority of striking down the New York statute simply out of an "hostility to eavesdropping as ignoble and dirty business." 388 U.S. at 71. It then went on to point out how "this country is painfully realizing that evidence of crime is difficult for governments to secure." 388 U.S. at 72. Mr. Justice Black found no need for "empirical studies or statistics" to show that electronic surveillance "plays an important role in exposing criminals." *Id.* He commented on the possibility that "techniques and practices" might be developed which could serve as alternatives to electronic surveillance. Mr. Justice Black observed:

"It is always easy to hint at mysterious means available just around the corner to catch outlaws. But crimes, unspeakably horrid crimes, are with us in this country, and we cannot afford to dispense with any known method of detecting . . . then unless it is forbidden by the Constitution or . . . legislative policy—neither of which I believe to be true about eavesdropping." 388 U.S. at 73.

Mr. Justice Black, moreover, found that "there is no inherent danger to a defendant in using these electronic recording except that which results from the use of testimony that is so unerringly accurate that it is practically bound to bring about a conviction." 388 U.S. at 73-74.

After these introductory comments, Mr. Justice Black moved to an analysis of the case. He found first that the constitution on its face said nothing about the problem save that searches should be "reasonable." 388 U.S. at 75. He then analyzed the New York statute. For all he could see, it was being struck down not because it did not try to protect the rights of Berger, but because it did so "inartfully." 388 U.S. at 83. For Mr. Justice Black, the result of the majority could be defended only "by taking away some of . . . [the] words [of the Fourth Amendment] and by adding others." 388 U.S. at 88. This violated what he considered to be the duty of the Court. This, in essence, was the burden of his dissent. He would have affirmed the conviction.

Like Mr. Justice Black, Mr. Justice Harlan filed a long dissent. He began by classifying the result of the majority with what he felt was an unfortunate tendency to the Court to attempt to take to itself "sole responsibility for setting the pattern of criminal law enforcement throughout the country." 388 U.S. at 89. He then sharply criticized the majority for going to the face of the statute when properly only the facts of the case were before them. To him, that was done in violation of all of the Court's precedents.

Mr. Justice Harlan's dissent also dealt with the so-called "general search" objection to electronic surveillance. It has been contended that because an officer employing an electronic surveillance technique overhears all conversations, it is unreasonable per se as a general search. Mr. Justice Harlan, however, pointed out that this objection ignores the distinction between "search" and "seizure." 388 U.S. at 97-98. All "searches" are general; it is only "seizures" which must be "particular", and mere perception or recording is not a "seizure." Some "exercise of dominion, beyond mere perception, is necessary for the seizure of tangibles, so some use of the conversation beyond the initial listening process is required" for the seizure of the spoken word. 388 U.S. at 98. Mr. Justice Harlan, therefore, explicitly—and again by silence the majority concurred—put to rest this per se objection to a court order system of electronic surveillance. Finally, Mr. Justice Harlan subjected the case to an analysis on its facts. He concluded that the case should have been affirmed.

Mr. Justice White was the last to file a dissent. His analysis closely paralleled that of Mr. Justice Harlan. He, too, concluded that the New York statute was constitutional and was constitutionally administered. He also included in his dissent the relevant portions of the Report of the President's Crime Commission which called for electronic surveillance legislation as both needed and desirable. 388 U.S. at 119-29.

KATZ AGAINST UNITED STATES

Mr. Justice Stewart began his opinion by rejecting Katz's formulation of the issue before the court in terms of the traditional category "constitutionally protected area." The Fourth Amendment, he noted, "protects people not places." Slip Opinion at 4. "[A] person in a telephone booth," he said, ". . . is surely entitled to assume that the words he

utters into the mouthpiece will not be broadcast to the world." *Id.* at 5.

He then rejected the government's contention that the absence of a physical trespass took the actions of the agents outside the orbit of the Fourth Amendment. Noting that subsequent cases had "eroded" the underpinning of *Olmstead* and *Goldman*—the two decisions which enunciated the trespass doctrine—he said that they could "no longer be regarded as controlling." *Id.* at 6. The issue instead must be decided on the basis of the violation of the "privacy" of the booth "upon which [Katz] justifiably relied . . . *Ibid.* Finding a "search and seizure" within the meaning of the Fourth Amendment independent of the question of trespass, he said that the case had to be decided solely on the basis of whether or not it had met "constitutional standards." *Id.* at 7. Consequently, he turned to the actions of the agents.

Mr. Justice Stewart first noted that the surveillance was not begun until the agents had as a result of their investigation a "strong probability" that Katz was using the phone to transmit gambling information in violation of federal law. Next he pointed out that the surveillance was "limited" in "scope and duration" to the "specific purpose" of establishing the contents of the telephone communications. *Ibid.* Save on a single instance, only Katz's conversations were overheard, and the interception was confined to "brief periods." *Ibid.* Mr. Justice Stewart then stated:

" . . . it is clear that this surveillance was so narrowly circumscribed that a duly authorized magistrate, properly notified of the need for such investigation, specifically informed of the basis on which it was to proceed, and clearly apprised of the precise intrusion it would entail, could constitutionally have authorized, with appropriate safeguards, the very limited search and seizure that . . . took place." *Ibid.*

Where protections "similar" to those afforded by "conventional warrants" were provided, and "no greater invasion of privacy was permitted than was necessary under the circumstances," the "legitimate needs of law enforcement" could thus be "accommodated" by a "judicial order." *Id.* at 8-9.

Having recognized the constitutionality of electronic surveillance, Mr. Justice Stewart then proceeded to clear up an area of confusion that had arisen under the Court's *Berger* opinion. He noted that the protections afforded by court order electronic surveillance need not be "identical" only "similar" to that afforded by conventional warrants. The conventional warrant, he said, ordinarily serves to notify the suspect of an intended search. Such "prior notice", however, may be dispensed with in the electronic surveillance situation, for otherwise the "critical evidence" could not be obtained. The considerations that led to the formulation of the rule requiring prior notice elsewhere were "not relevant" in the area of "judicially authorized electronic surveillance." *Id.* at 8 fn 16.

While it was apparent, Mr. Justice Stewart said, that the agents had acted "with restraint," it was nevertheless inescapable that the restraint had been imposed by the agents themselves, not by a "judicial officer." They did not have to submit their estimate of probable cause to a magistrate to limit the search according to prior court order or to notify the magistrate later of what had been seized. Subject only to well defined exceptions, he observed, searches outside the judicial process were *per se* unreasonable. For this reason alone, the Court, he said, had to reverse the case. The agents had "ignored the procedure of antecedent justification," a procedure that was a "constitutional precondition of [this] kind of electronic surveillance. . . . *Id.* at 12. The conviction thus could not stand.

Mr. Justice Harlan filed a short concurring opinion. First he noted that he read the

Court's opinion to mean a twofold test under the Fourth Amendment was involved: 1) a person must have exhibited an actual "expectation of privacy," and 2) the expectation had to be recognized as "reasonable". Thus, he felt, the Constitution would not protect a person where his expectation of privacy was reasonable, as, for example, it would be in an open field. He then noted that the Court's decision did not mean that no interception of a private conversation in a phone booth could be reasonable in the absence of a warrant. There were, he said, exceptions to the general rule that required a warrant. But their application to electronic surveillance would have to await an appropriate occasion.

Mr. Justice White also filed a concurring opinion. First he noted that the Court's decision left untouched those uses of electronic surveillance techniques where the consent of one of the parties was obtained. A man must take the risk, he said, that his hearer, free to memorize what he hears, is instead recording it or transmitting it to another. He then observed that the Court had left open the application of the warrant requirements to electronic surveillance in the area of national security, a requirement he thought inapposite in that area.

Finally, Mr. Justice Douglas and Mr. Justice Brennan filed a concurring opinion. They directed their remarks, not to the Court's opinion, but to the concluding paragraph of Mr. Justice White's opinion. It was, they said, little more than a "green light" for executive eavesdropping in "national security" matters without judicial authorization. For them, the Fourth Amendment contains no distinction between these and other matters. The requirement of the detached magistrate cut across the board.

Mr. Justice Black was the lone dissenter. He began by praising the Court for setting out "methods in accord with the Fourth Amendment to guide States in the enactment and enforcement of laws passed to regulate wiretapping by government." The Court's opinion, he said, removed the "doubt" that had surrounded the *Berger* holding. His objection to the Court's opinion remained that which he had in *Berger* itself: he could not see how the meaning of the Fourth Amendment could be stretched to cover electronic surveillance. It was, he said, no part of the Court's business to rewrite the Amendment in order to bring it into harmony with the times. Thus, while he had praise for the Court's result, he felt it was not authorized by the Constitution.

IS ELECTRONICS DANGEROUS

Mr. TYDINGS. Mr. President, I have documented the need. I think that the review of constitutional materials establishes beyond doubt the basic constitutionality of title III. But may I now say a word about the dangers.

Contrary to what we have heard, electronic surveillance is not a lazy way to conduct an investigation. It will not be used wholesale as a substitute for physical investigation.

Between 1940 and 1959, the office of the district attorney of New York County, where electronic surveillance has been vigorously used, handled 343,745 criminal cases. It used electronics in 219 investigations, and obtained only 727 orders, including renewals. This was prior to the State law which required court orders.

After 1958, when court orders were required, District Attorney Hogan received 75 orders per year for wiretaps and 19 for bugs. That is, 94 orders per year, out of 8 million people, 2 million households, and 5 million telephones. Hardly indiscriminate use.

The reason for such sparing use are

simple. First, electronic surveillance is really useful only in conspiratorial activities. And that, for the most part, means organized crime.

DIFFICULT TO USE

Second, surveillance is very difficult to use. Tape must be installed on telephones, and wires strung. Bugs are difficult to install in many places since surreptitious entry is often impossible. Often, more than one entry is necessary to adjust equipment. Static and room noise interfere. Devices can be discovered. Wireless transmission can be intercepted.

Third, monitoring this equipment requires the expenditure of a great amount of law enforcement's time—hours and hours without a single word overheard simply because no one is speaking. Even with automatic devices, human monitoring is needed. Seldom can one man do it, since there must be some one present to act immediately on information that is overheard dealing with a crime that is just about to be committed.

Often the fruits of the surveillance require placing a subject under visual surveillance or putting a meeting under physical surveillance. This requires several men. Waiting time is extensive, and all demands specially trained personnel, who are scarce, and always are needed elsewhere. Voices and names overheard must be identified. Conversations must be interpreted. Sometimes information is understood too late. Often, it cannot be decoded. When codes are not used, conversation still is frequently unintelligible.

To say that title III will result in wholesale bugging of private individuals requires an ignorance of law enforcement and of organized crime. For it is organized-type crime in which this technique is essential, and will be useful—and only crime of an organized-type crime.

PATTERN OF CRIMINALITY

For surveillance to be useful—indeed, under the bill, for it to be authorized—there must be a pattern of criminal activity over a long period of time. Solitary criminals do not talk to others about their crimes. And when they do, they generally do not talk about the crimes they are preparing to commit.

Telephones are useful only when there is a widespread organization which requires their use. Isolated meetings cannot be predicted, and therefore bugged. There must be a pattern of meetings.

PRESTIGIOUS SUPPORT

Mr. President, I know there is a feeling in the Senate that title III is a terribly regressive proposal. I cannot share that sentiment. Moreover, I would point to the number and nature of organizations which have endorsed limited electronic surveillance: Such prestigious nonpolice organizations as:

The President's Commission on Law Enforcement and the Administration of Justice, which, for 2 years, conducted the most exhaustive and comprehensive study of the criminal justice system ever done in this Nation. The Judicial Conference of the United States, five judges of U.S. courts, headed by the Chief Justice, who make policy for the administration of the Federal judicial system.

The National Council on Crime and

Delinquency, a private nonprofit organization concerned with improvement throughout the criminal justice system.

CONCERN FOR LIBERTY

These organizations are concerned with civil liberty, as we are. But they found through their studies what I have concluded: That the use of electronic surveillance has many attributes to recommend it to civil libertarians.

Not only must we be concerned about the civil liberties aspects of organized crime. Not only must we be concerned that those whom organized crime hurts most are those who most need society's protection. We must also be concerned about the indiscriminate use of electronic devices, which would be ended by title III.

Further, from a legal point of view, many of the greatest problems now associated with mass conspiracy trials—ambiguous circumstantial evidence, suspect testimony of accomplices, prejudiced variance—are problems of evidence. And they are serious problems. If we can improve the quality of the evidence used in organized crime cases, we would solve many problems which should concern civil libertarians. Not only would more convictions be obtained; they would also be obtained fairly.

HOLMES AND BRANDEIS

Mr. President, electronic surveillance need not be the "dirty business" justly condemned by Justice Holmes. What Holmes was referring to was wiretapping in violation of a State statute.

Nor need it be the unjustifiable "intrusion" justly condemned by Justice Brandeis. What Brandeis was referring to was not wiretapping in general, but that "as was practiced in the case" before him—Olmstead against U.S.

The record of that case shows that the intrusion was, indeed, indiscriminate and whole. Thus Brandeis argued eloquently for the right to be free from "unjustifiable intrusion."

In title III of the bill we are considering, justification must be shown in each application—and it must be tested against our belief in civil liberty and the impact of organized crime on human dignity.

Understood thus, electronic surveillance is neither "dirty business" nor a violation of the individual's "right to be left alone."

We are faced here with a question of balance, not of absolutes. As Edmund Burke, said, we must not forget that although a thing "by itself may appear to be wrong, when considered with relation to other things, it may be perfectly right—or at least such as ought to be patiently endured as the means of preventing something that is worse.

I ask unanimous consent that following my remarks a copy of two articles appearing in Life magazine, entitled "The Mob," by Sandy Smith, may be included in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

THE MOB

(By Sandy Smith)

Call it the Mob. The name fits, although any of a half-dozen others—the Outfit, the

syndicate, La Cosa Nostra, the Mafia—serves about as well. Whatever it's called, it exists, and the fact of its existence is a national disgrace. In this issue and the next, LIFE reveals the structure, tactics, ruthlessness and alarming strength of this brazen empire.

The Mob is a fraternity of thugs, but it holds such power, wealth and influence that in one way or another it poisons us all. It rigs elections and in so doing destroys the democratic process. More and more it is muscling into legitimate business—local, national and international—to the extent that nearly every American is paying into its treasury in countless unsuspected ways.

The 5,000 members of Cosa Nostra are all of Italian background, and most of them are Sicilians. Abetting them is a larger army of nonmembers—of many creeds and origins—who wittingly or unwittingly do the Mob's bidding. The scale and sophistication of its operations challenge the imagination: the President's Crime Commission estimates the Mob's annual profit from illegal gambling alone at \$6 to \$7 billion. "Loan sharking," narcotics, labor racketeering, "skimming" and all the varieties of extortion in which it deals bring in enormous additional sums wrenched out of the poor and those least able to resist the exploiters. Through the mechanism of "the fix," it can, and too often does, control congressmen, state officials and law enforcement men. The Mob is in fact a government of its own, with its own laws, enforced with torture and murder. It is organized with ruthless efficiency to achieve its ends and protect its members from prosecution. At the top is a ruling body which settles internal disputes and preserves discipline. Beneath this supreme council are the officers and troops, the men who do the corrupting, bribing, extorting, terrorizing, robbing and killing.

The crime syndicate of today came into being with Prohibition and has continued to thrive and grow despite sporadic bursts of public concern. One of the principal reasons for this is that existing legal machinery is simply unable to cope with it. Criminal laws deal with individual crimes, not an international association. The Mob's multitiered hierarchy insulates its leaders from direct participation in the crimes they order. To the continuing despair of police agencies, it has also benefited vastly from recent court decisions limiting the admissibility of evidence. Most of all, the Mob has fattened itself on the public's appetite for its services—dope, sex and gambling—and apathy toward its evil.

MACABRE HOME OF A "CAPO," MONUMENT TO MOB MURDER

From the gateposts, topped by menacing bronze swans with wings angrily outspread, the driveway leads up about two blocks to the great stone mansion near Livingston, N.J. The drive is overhung by trees and flanked with flowers in gargyle-shaped pots. The style might be called Transylvania traditional, with overtones of the owner's native Sicily. At a jog in the road is a cluster of painted family statutes dominated by one of the squire himself, Ruggiero Bolardo, astride a horse.

It is a chilling place even in the warmth and sun of an August morning. A lot of Mr. Bolardo's fellow gangsters are mortally afraid of going up that driveway alone. Some who did never returned.

As mobsters go, Ruggiero Bolardo—or Richie the Boot, as he is called—is not a very big shot. Nonetheless, he is a significant figure in organized U.S. crime and his estate, literally, is one of its monuments. Bolardo is a capo (captain) in the 600-member Cosa Nostra Family of Vito Genovese. Now a stoop-shouldered man of 76, he putters in his flower beds and mutters imprecations against the world in general: "They call Bolardo a thief, a killer," he complained to

one recent caller. "They call him Cosa Nostra. Trouble."

Two other New Jersey gangsters, Angelo "The Gyp" DeCarlo and Anthony Russo, once babbled like schoolboys about the foul deeds that have been committed beyond those colorful gates. As an informant was to relate, the conversation went like this:

"Stay away from there!" said Russo. "So many guys have been hit there. There's this furnace 'way up in back. That's where they burned 'em."

DeCarlo, fascinated, asked for details. Russo cheerfully ticked off victims by their first names: "Oliver . . . Willie . . . Little Harold . . . Tony . . ." He himself, Russo bragged, had carried Little Harold to the furnace by a chain tied to the dead man's throat.

Authorities are convinced Russo was not exaggerating. Certainly, the number of victims incinerated at Bolardo's estate exceeds the number buried on the much-publicized chicken farm near Lakewood, N.J., where remains of two bodies and traces of a third were found last March. But no corpses have ever come to light at Bolardo's; people thought to have died there are listed officially as Missing Persons.

Even the big shots of Cosa Nostra, approach Bolardo's notorious estate with respect. In November 1957, when the high council met there to whack up the territory of the late Albert Anastasia, they came and left all in a group—thus avoiding the path described by Russo, "way up in back."

Richie Bolardo—and the two fellow mobsters who discussed the crematorium as casually as two men might compare golf scores—are alive and free men at this writing. They conduct various legal and illegal enterprises in New Jersey and are notably prosperous.

Deep in the rackets since Prohibition days, with a reputation for unabashed savagery, Bolardo gets paid \$4,000 a month out of the Mob's Las Vegas "skimming" profits. He also runs a legitimate wrecking business (much of the nonfamily statutory on his estate was salvaged from buildings he wrecked; his house is built of stones from the old Newark post office). He presently is awaiting trial on a gambling charge and simultaneously is dueling with Internal Revenue.

Russo, 48, is the gambling and rackets boss of Monmouth County, N.J. and also has interests in Florida. Gyp DeCarlo, 65, an obese character who detests his nickname, like Bolardo is a *capo* in the Genovese Family. He grows fat off gambling and loan-shark rackets in Union County, N.J. and operates crap games that float from borough to borough in New York City.

Like countless others in the rackets, Bolardo, Russo and DeCarlo are virtually laws unto themselves, answerable only to the invisible government to which they owe their sole allegiance—Cosa Nostra.

HOW JOE BONANNO SCHEMED TO KILL—AND LOST

If Cosa Nostra has a failing at all from the standpoint of efficiency, it is the fact that it is composed at all levels of total scoundrels. Loyalty, as most men understand it, simply does not exist. Though elaborate oaths are required for membership in most cities, the members hang together mainly for the enormous profit this makes possible, and also out of fear of the consequences if they do otherwise. Consider, for example, the case of Joseph "Joe Bananas" Bonanno, the New York mobster whose greed almost broke up the Syndicate.

The Mob's ruling council was organized in 1931 by Lucky Luciano and Al Capone, and Bonanno, then a mean, ambitious 26-year-old, was given charter membership as the representative of a Brooklyn gang. It was not until 1963 that the name Cosa Nostra became part of the American idiom. That was the year Joe Valachi, a small-time killer for the Mob, decided to spill the

brotherhood's secrets to federal agents and then, on network television, to a congressional committee. As Valachi detailed it—and as some lawmen were already aware—each of the "Commissioners" serving on the ruling council is the head of a subdivision called a "Family" which more or less has free rein over the rackets in its own territory. Any disputes over territorial jurisdictions are settled by the Commission.

At present, there are eight Commissioners on the ruling council: Vito Genovese of New York and New Jersey, now in the federal penitentiary at Leavenworth; Carlo Gambino of New York; Steve Magaddino of Buffalo; Joe Colombo of New York; Joe Zerilli of Detroit; Momo Salvatore "Sam" Giancana of Chicago; Angelo Bruno of Philadelphia—and the aforementioned Joe Bonanno. (There was a ninth member, Thomas "Three-Finger Brown" Lucchese, who died—of natural causes—in July; the vacancy is still up for grabs.)

Collectively, they are not a physically imposing lot, nor even frightening. Five of them are over 60. Magaddino, at 75, is widely spoken of—though never to his face—as a senile and autocratic windbag. Giancana is 59. Bruno, a tubby hypochondriac to whom the greeting "How are you?" is an invitation to deliver an organ recital, is 57. Even Colombo, at 43, doesn't stack up as much of a headbreaker. Yet the thing to remember is that they got where they are—and have managed to stay there—by killing people.

The troublemaker in the executive club was Joe Bonanno, a fact that stemmed from his aggressive and inventive nature. A lot of his innovations worked out very well—for instance, the "split-level coffin." As the Bolardo incinerator disclosure points out, disposal of the bodies of victims has always been a problem taxing the mobsters' ingenuity. Bonanno solved it in Brooklyn by acquiring a funeral home. To get rid of unwanted corpses he had them stuffed into the lower compartment of a specially built casket of his own design. The corpse of record lay in the upper compartment, with family and cemetery keepers none the wiser. When such a tandem burial was to be held, Bonanno supplied muscular pallbearers who could carry the extra weight without strain. Bonanno's victims in the lower berths were put underground before police even became aware they were missing.

By 1963, at the age of 58, Bonanno had lost none of his ambition and had developed a vast disdain for his fellow Commissioners—some of whom had been mere car thieves when he was already on the council. He habitually staked out for himself areas deemed "open" by the Commission—such as the U.S. Southwest and Canada. "He's planting flags all over the world!" fumed Commissioner Magaddino when Bonanno muscled into Magaddino's Canadian preserves.

The greedy Bonanno was doing more than planting flags. Seeing a chance to seize control of the brotherhood, he issued contracts for the murders of three fellow Commissioners—Magaddino, Lucchese and Gambino—and another contract for slaying of the head of a Family in California, Frank DeSimone. Bonanno assigned the New York murders to one Joe Magliocco, a fat hoodlum with high blood pressure. Magliocco in turn farmed the New York murder contracts out to an ambitious young torpedo named Joe Colombo.

Colombo turned out to be more of an angler than a triggerman. He tipped off the Commission to Bonanno's planned coup, and they hurriedly convened a meeting to deal with the treachery. Magliocco and Bonanno were summoned to face charges. Magliocco appeared in a panic, made a full confession, was banished from Cosa Nostra, fined \$50,000 and sent home. Shortly thereafter he died of a heart attack. Meanwhile, his Family and

his Commission seat were given to the stool pigeon Colombo.

Joe Bonanno never showed up for trial. He hid out on the West Coast, using the name "J. Santone." Then, in 1964, he went to Canada to poach once more on Magaddino's grounds. Magaddino went into a frenzy, calling a Commission meeting for Sept. 18, 1964, in the Englewood Cliffs, N.J. home of gangster Thomas Ebboli. Bonanno ignored that meeting, too, despite the entreaties of the Commission's emissary Sam DeCavalcante, whose biggest previous distinction had been in trying to develop a garbage disposal unit that would reduce a human body to a meatball. In the face of Bonanno's insults, the council accepted the advice of its Chicago Commissioner, Momo Giancana: "Kill—kill! Why don't you just kill the guy?"

On Oct. 14, Magaddino met in Buffalo with two men. An informant has recalled bits of the conversation: "New York . . . the lawyer . . . we got the car."

Seven nights later, Bonanno and four lawyers dined in a New York steak house. A sixth man joined them about 11 p.m. He left the table twice, walking out in a rainstorm to use a corner phone.

Shortly after midnight, Bonanno's party left the restaurant in taxis. The sixth man, who took a separate taxi, got out at 37th Street and Park Avenue and beckoned to two men standing on the corner. A few minutes later, Bonanno arrived at an apartment house a block away. The two men stepped up and forced Bonanno into a car at gunpoint. Though there has been all sorts of speculation about the kidnapping—including a theory that Bonanno staged the whole thing to avoid an appearance before a grand jury—the fact is that he was held for about six weeks somewhere in the Catskills. There he talked his captors out of killing him by raising the specter of a nationwide gang war if they knocked him off. But if they let him go, he promised to turn over his gang and his rackets in gratitude. Apparently the Commissioners' lust for loot exceeded their lust for vengeance, for they turned him loose in December 1964.

Bonanno was only fooling. He went to Haiti to bide his time, then returned to New York last year to rally his gang, claim his place in the Commission and continue his invasion of Canada. Magaddino still howls about it, but the other Commissioners, perhaps afraid of the guns in Bonanno's Family, seem intent on trying to ignore him, hoping he'll go away, or something.

YOUR LAND IS HOODLAND

The disturbing fact is that the Mob today is spread across the land and has been able to insinuate itself into the core of society. Most Americans are just not aware of the extent of its influence.

Cosa Nostra is a cartel of 24 semi-independent Families that vary widely in size (from 20 to 1,000 members) and their importance in the rackets. Each Family unit is headed by a Boss and several of these Bosses—the current number is eight—sit on Cosa Nostra's ruling Commission. The other Family heads (shown flanking the map) are not necessarily less powerful than individual Commissioners—Raymond Patriarca in New England and Carlos Marcello in Louisiana, for example, are more powerful than some who sit on the ruling body. But they generally follow the Commission's edicts.

Second in command in each Family is the Underboss. Beneath him are squads known as *regimes*, each headed by a *capo* (captain) and staffed by younger or less accomplished thugs known as *soldati* (soldiers). When a member grows old or infirm he may become a *consigliere*, a sort of a mobster emeritus who serves only as an adviser to the Boss. The Boss passes orders down the chain of command—a system designed to screen the top man from the police. The Boss has tremendous authority in his own territory, pre-

siding over all gangland enterprises—he is a partner in everything—and also umpiring intra-gang frictions, as New England Boss Patriarca is shown doing in the Boston gang war in the map at left. The membership rolls of Cosa Nostra supposedly have been closed since 1957—an attempt by the Commission to prevent a recruiting race that might upset the delicate balance of power within the fraternity. Nevertheless, some Families continue to add new members when an old one dies and, despite the deceleration of the present Commissioners, there is no shortage of ambitious younger talent waiting to take over.

In the old days, a recruit had to take part in at least one murder before he was accepted. But during the World War II manpower shortage, standards slipped and later, as murder became a less popular tactic, many gangsters were let in who never had made a fatal score. This irks some oldtimers. As one graying hood complained, "Today you got a thousand guys in here that never broke an egg."

THE BRAZEN ATTEMPT TO SPRING HOFFA WITH A \$1 MILLION BRIBE: A CASE OF "THE FIX"

At the heart of every successful gangster's operation is the fix—the working arrangement with key police and elected officials and business and union executives. It guarantees the racketeers room to swing and a certain amount of acceptance in "respectable" circles. For sheer audacity and sweep, few Fixes the Mob has ever undertaken could top a plot just now unfolding in New Orleans, where the Cosa Nostra is ruled over by Carlos Marcello. Its hoped-for objective is liberty for James Hoffa, the imprisoned boss of the Teamsters Union.

LIFE has found conclusive evidence that Hoffa's pals—some in the union, some in the Mob, some in both—dropped \$2 million into a spring-Hoffa fund late last year. The money was placed at the disposal of Cosa Nostra mobsters, and it was to be payable to anyone who could wreck the government's jury-tampering case on which Hoffa had been convicted.

In due course, the money was made available to Marcello to do the job. The chief government witness in the trial, which took place in 1964 in Chattanooga, had been Edward Grady Partin, leader of a Teamster local in Baton Rouge, La. As the Mob saw it, Partin was a logical target for a fix. If he could be persuaded somehow to recant his own testimony, or to "taint" it by claiming that wiretaps had been used against Hoffa, the conviction would surely be reversed. By last January, the Mob might have assumed that Partin already had been softened up. A series of dynamite explosions had wrecked construction sites, trucks and oil-drilling rigs of companies whose employees were members of Partin's union. Partin got the message all right, but ignored it.

Then another ploy was made to Partin. It was arranged by Aubrey Young, 45, who for years had been an aide and confidant of Louisiana Governor John J. McKeithen.

Though the governor did not know it, Young had some curious contacts outside of the executive suite. One of these was Marcello, about whose empire you will read more in next week's installment.

In January, Young set up a meeting with Partin at the request of still another man of influence in Louisiana politics, a sometime public relations specialist and all-around operator named D'Alton Smith.

Members of Smith's family are well-placed in Louisiana. His brother, A. D. Smith, is a member of the state board of education. His sister, Mrs. Frances Pecora, is an official of the state insurance commission. Mrs. Pecora is also the wife of Nofio Pecora, former operator of the Marcello-owned Town and Country Motel in New Orleans.

The meeting with Partin took place at

Young's house in Baton Rouge. Smith was there when Partin arrived.

"D'Alton had told me he wanted to see if he could straighten out Partin's testimony to help Hoffa," Young has since told LIFE. "When I saw what they were talking about in the parlor, I took a walk because I didn't want any part of it. After the meeting, D'Alton told me that he couldn't budge Partin; that Partin said his testimony was true."

Partin confirmed to LIFE that this indeed was the subject of the conversation and has added these details of the inducements he says were held out to him: The initial offer for the changing of his testimony was \$25,000 a year for 10 years. He turned it down. The ante was hiked until it reached an overall total of \$1 million. Still Partin refused. When Smith gave it up as a bad job and went away, Partin called the Justice Department.

A short time later, Young who had been drinking heavily, sought sanctuary for three days in the Town and Country Motel, which is Marcello's racket headquarters. Young has offered this explanation: "I go to the Town and Country because there's always lots of politicians there. I didn't see Carlos or talk to him. I know I didn't, because there was a state policeman with me all the time."

Meanwhile, in response to Partin's call, the Justice Department began an investigation into the bribery attempt. Young returned to the capital at Baton Rouge. When the governor asked him to explain his absence, Young blurted out the story of the attempted bribery of Partin. Furious, McKeithen threatened to fire him. Young resigned.

As to what has happened to the \$2 million, Marcello, of course, isn't talking. And Hoffa remains in federal prison.

This is a fair example of the intricate forces involved in a particular sort of fix. But a fix doesn't have to entail an exchange of money. It can be accomplished by putting in fear, through means as subtle as a crack over the head, an arm broken by twisting, an implied disclosure of family skeletons, a hoarse voice on the phone, a timely murder. It can be accomplished by campaign "contributions" or by outright bribes. It can be attained through employment of public relations counsels who stress things like the good name of a city or the amount of money donated to charity by Mob enterprises, or who plant in newspaper columns evidences of the charm, wit and good connections of key mobsters as they are seen about the spots where expensive people gather. It can be helped immeasurably by cheap devices like easy "loans" to a reporter whose tastes outrun his income.

A big-city mayor may have nothing but loathing for mobsters. Yet if disclosure of corruption in his city threatens the tenure of his political machine, he may make every effort to suppress the story—rationalizing that the city would be much worse off with the opposition in control. This is a solid dividend of the fix. Ask any gangster.

THE FAT MAN WHO DIED ON A MEAT HOOK

The information and entertainment media, and ultimately the public themselves, play their part in all of this. Too often they take a scriptwriter's view of gangsters, viewing them as one would look at tenants of the great ape house at the zoo—with vague thrills of identity but with amused tolerance. When Frank Sinatra appears in public with Sam Giancana, who is a killer and a crook, the tendency is to see Sinatra as a bigger swinger than ever—not just another entertainer who has some crummy friends.

Giancana is a pretty good exhibit when it comes to illustrating the manhandling of gorillas. Despite his absence from the country, his fix in Chicago remains as tight and traditional as any you could find.

Giancana took over the 300-member Chi-

cago Cosa Nostra Family—the Outfit, as it is called locally—in 1957, after it became apparent to him that the incumbent Boss, Tony Accardo, was getting too slow and too rich. Giancana's decision was brought home to Accardo by a bullet fired over his head as Tony was entering his spacious \$500,000 estate in suburban River Forest. He understood.

Sam Giancana is a frail, gnome-like man whose constant cigar smoking has deformed his upper lip into a permanent sneer. Back in World War II, when asked by the draft board what he did for a living, he replied, "I steal." He was adjudged a psychopath, and Sam figures it was a bad rap. "I was telling them the truth," he said. Before he was old enough to vote, he'd been arrested three times for murder. He likes the girls—for one he purchased a remounted 30-carat stolen diamond from a fence in New York—and has made international headlines as the recurrent escort of Singer Phyllis McGuire. He likes to play golf, and when FBI agents began bothering his game when they had him under surveillance in 1963, he went to federal court and got an order stipulating that the agents must stay two foursomes back.

Ultimately, the agents won that round. Giancana was called before a grand jury, granted immunity from prosecution stemming from anything he might say and, when he refused to answer questions, served a year in jail for contempt. Fearing another such sentence, he has stayed pretty much out of the country ever since. For a time, control of the Outfit fell to Giancana's lieutenants, but as federal prosecutions sent several of them to jail, family matters demanded a more experienced hand at the helm. One current theory is that Accardo has come out of retirement to resume active control.

The truth is that Giancana is still running things by remote control from a hideout in Mexico, a posh castle near Cuernavaca where he poses as Riccardo Scalzetti. The real Scalzetti, Giancana's erstwhile chauffeur and courier, is more familiar to Chicagoans as Richard Cain, a well-known former Chicago policeman and more recently a private investigator.

In Chicago, where racketeering was perfected, the connection between the Mob and the politicians remains extensive and arrogant. From an office across from City Hall, there are men ready to carry out Giancana's wishes and attend to the clockwork of the fix.

It is a matter of particular pride to Giancana and his boys that they are firmly in control of both the Democratic and the Republican political organizations in Chicago's famous First Ward, which includes the Loop with its glittering commerce and the West Side campus of the University of Illinois as well as a warren of flophouses, honky-tonks, pool halls, pawnshops and slums. It also enfolds City Hall, the Cook County courthouse, police headquarters, the federal courthouse, the Chicago Stock Exchange, the Board of Trade, most of the major office buildings, the largest hotels and the terminals or major railroads. The Democratic organizations of two other West Side wards—the 28th and the 29th—are also nominally chattels of the Mob. But the real gangster operative power, for obvious reasons, is in the First.

The First Ward Republican apparatus is a joke. Giancana's men permit it to exist only so they can have a foot in both parties. The hoods have been known to round up a few thousand G.O.P. votes in certain elections just to avoid embarrassing Democratic winners with heavy pluralities from a gangster-dominated political organization. But aside from being something to scratch matches on, Republicans in the First Ward are handy in other ways. In Mexico City this year, for example, Giancana and Miss Mc-

Guire tooled around in a white Oldsmobile licensed to Peter Granata, the present Republican committeeman in the First Ward.

Although Cosa Nostra control over the three wards is as well-known to many Chicagoans as the Water Tower, Mayor Richard J. Daley, the longtime guru of Cook County's Democrats, stays aloof. As Chicago mayors have always done, Mayor Daley tends to bristle at allegations of organized corruption in his city as being something less than patriotic. Leadership of ward organizations, he contends, is the exclusive concern of the people in the wards.

First Ward Democratic headquarters, just across La Salle Street from City Hall, is a handily located, permanently established center of political corruption. Here politicians, policemen, newsmen and other useful people troop into the office for favors given and received. (As in few other cities, certain journalists are part and parcel of the First Ward Fix. The First Ward Democratic organization, if it serves the gangster's needs, can—and on occasion does—swing enough influence in city rooms to get a story killed or softened to the point where it is almost an apology.) The principal disbursing officer, and Giancana's main liaison with the First Ward-healers, is Pat Marcy, who served a prison term for robbery back before he became secretary of the First Ward Democratic organization.

Details of the First Ward's bribe trafficking were spelled out in a 1963 report on police corruption in Chicago by the U.S. Department of Justice. The report, naming names, disclosed specific payoffs that kept police from cracking down on centers of vice operated by the Giancana Mob. But Police Superintendent Orlando W. Wilson, a man with a reputation for incorruptibility, reacted in much the same manner as Mayor Daley, scoffing at the report as "gossip" and refusing to take any action against accused bribe-takers on the police force—including his administrative assistant, Sgt. Paul Quinn. (Wilson retired August 1. Quinn remains on the force as administrative assistant to Wilson's successor, James B. Conlisk Jr.)

Giancana rules the First Ward like a Tartar warlord. He can brush an alderman of the city council with a gesture of his hand—as he did in 1962, when he ordered the resignation of Alderman John D'Arco. (It was all brought to a head by a D'Arco *faux pas*. He and Giancana were seated at a restaurant table when an FBI agent, well-known to both men, approached. D'Arco, reacting as a politician, leaped to his feet and shook hands with the agent. Giancana disapproved. Exit Alderman D'Arco.) State Senator Anthony DeTolve, a relative of Giancana's late wife, was nominated to succeed D'Arco. Four days before the aldermanic election, the gang Boss capriciously decided that DeTolve would not do, either. In the ensuing confusion, the First Ward wound up without an alderman for a year. Not many constituents could discern any difference.

For seven years, U.S. Representative Roland Libonati was one of the tame congressmen from the First Ward. "Libby" got on the powerful House Judiciary Committee and became something of a Capitol Hill landmark. Tony Tisci, Giancana's son-in-law, was on the government payroll at \$11,829.84 a year as Libonati's assistant. In 1962, for reasons still undisclosed, Giancana decided that Libonati was a liability. The hapless congressman submitted without a protest and, for stated reasons of his wife's ill health, obediently did not run for re-election in 1964. Tisci stayed on as assistant to Libonati's successor, Frank Annunzio.

The grand jury investigation that jailed Giancana eventually dislodged Tisci from Annunzio's payroll. The disclosure that Tisci had refused to talk to the jury, pleading fear of self-incrimination, was followed by his resignation as Annunzio's aide. Marcy and D'Arco were also Fifth Amendment witnesses.

But there, as might be expected, the matter rested. U.S. Attorney Edward V. Hanrahan, a Democratic appointee, did not extend immunity to Tisci, Marcy and D'Arco even though they, like Giancana, had balked at testifying. Immunity for them might have been embarrassing for Mayor Daley's Democratic machine. It would have given the three the choice of exposing the workings of Giancana's captive organization or, like him, going to jail.

For some years, Giancana's political courier was the master fixer of the Chicago Mob, the late, notorious Murray Humphreys. Using the name "Mr. Pope," he frequently delivered messages and packages to Libonati and other members of the Illinois congressional delegation. Humphreys died in 1965, and some of his political duties now fall to Gus Alex, who runs the rackets for Giancana in the First Ward.

Giancana, perhaps spellbound by his acquaintances among celebrities and his control over paid-for political hacks, has been known to overstep his own influence. Once, during a time of tight surveillance by the FBI, he dispatched his aide-de-camp, a hoodlum named Charles English, with a message for the G-men who were waiting outside for him to leave a saloon. The message was an invitation to Robert F. Kennedy, then the Attorney General, to sit down and talk over calling the agents off. English made quite a sales pitch. "Elected officials all over the country, hundreds of 'em, owe their jobs to 'Moe'." he explained proudly. His parting words were equally blithe: "Moe says if Kennedy wants to talk, he should get in touch with Frank Sinatra to set it up."

Kennedy passed up the bid—and along about that time Sinatra fell out of New Frontier favor. The FBI continued its investigations, resulting in a 1965 jail sentence for Giancana.

Some of Giancana's lieutenants have their own connections with politicians, officials and important people. Gus Alex has an especially warm relationship with Chicago's city treasurer, Marshall Korshak, and his brother, Attorney Sidney Korshak. Sidney is a pal of other leading Chicago gangsters—"a message from him [Sidney]," a prominent mobster once was quoted on a witness stand, "is a message from us." On Alex's application in 1957 for an apartment on exclusive Lake Shore Drive, he described himself as a \$15,000-a-year employee of Marshall Korshak, then a state senator.

Among political favors rendered by paid-for officials to Cosa Nostra are the passing along of information that comes over their desks and the sending up of storm signals whenever official action against the Mob is threatened.

In 1962, for example, Attorney General Kennedy sent his federal prosecutors a list of gangsters to be investigated, stipulating that the list be held in strict secrecy within the Department of Justice. In a matter of weeks a copy of the list turned up in a Michigan Avenue office used by Giancana and Alex.

Fans of Sinatra and Miss McGuire might reconsider their acceptance of Giancana as a social figure if they had heard a conversation which took place in Miami a few years ago among three Giancana employees. So, for that matter, might Sinatra and Miss McGuire. The subject was William Jackson, a grotesque slugger for the Outfit who weighed well over 350 pounds. Jackson somehow had gotten out of line and had to be dealt with. As faithfully related by an informant, James Torella and Fiore Buccieri were telling John (Jackie) Cerone with some glee how they'd gone about it.

"Jackson was hung up on that meat hook," said Torella. "He was so — heavy he bent it. He was on that thing three days before he croaked."

Buccieri began to giggle. "Jackie, you shoulda seen the guy. Like an elephant, he

was, and when Jimmy hit him in the — with that electric rod . . ."

Torella interrupted excitedly. "He was floppin' around on that hook, Jackie. We tossed water on him to give the prod a better charge, and he's screamin' . . ."

The conversation turned animatedly to other methods of dispensing Giancana's brand of justice—except for the revolting subject matter, they might have been men sitting around a bait shop discussing favorite fishing lures. "The stretcher is best," insisted Torella. "Put a guy on it with chains and you can stretch him until his joints pop . . . Remember the guy that sweat so much he dried out? He was *always* wantin' water, water. . . . I think he died of thirst."

Once again, a reminder: these men are members of Giancana's Cosa Nostra Family. He was, and still is, the Boss who gives people like Buccieri and Torella the "contracts" for killing people like the late, heavy William Jackson.

The cardinal principle of the Fix is immutable—i.e., be with winners. Politically, this is conducive to bipartisanship. "Do like we do in Chicago," counseled Sam Giancana when he was reviewing his secret investments in the Stardust Casino in Las Vegas in 1961. "Give to both parties."

Naturally, when the delicate matter of investments of this sort is at issue, the man whose knowhow is most prized is Meyer Lansky. Though not a Cosa Nostra member (he is Jewish), he is the Mob's chief financial counselor. As such, he was the architect of "the skim," the system whereby tax-free cash is siphoned off the top of casino profits in Nevada.

Nevada has been "open" territory for Cosa Nostra racketeers ever since legalized gambling made Las Vegas synonymous with high rolling. The Mobs from Cleveland, Chicago, Miami and New York all had representatives looking after their hidden interests and therefore had something of a stake in Nevada politics.

Small wonder, then, that Giancana saw fit to give people advice. Nor is it at all remarkable that the Fremont Casino in Las Vegas found it necessary to obtain the personal approval of Lansky for its \$19,500 budget for political "contributions" in 1963: \$5,000 for a justice of the Nevada supreme court; \$200 to a justice of the peace; \$300 to a county commissioner; \$500 to a state assemblyman, and \$500 to a candidate for lieutenant governor. That was local. Another \$1,000 was anted up for a national political figure—and \$12,000 for his opponent.

The payoff, of course, was influence in Las Vegas, Carson City and Washington—not just for Ed Levinson, operator of the Fremont, but also for Lansky. (At the time, Levinson had another very useful connection in Washington. Both he and Benjamin Sigelbaum, the bagman who transported the "skim" money to Lansky in Miami Beach, were partners of Bobby Baker in the Serv-U vending machine enterprise. Baker, it will be recalled, was then the Senate majority secretary, as well as a chief dispenser of funds for the Senate Democratic campaign committee and confidant and protégé of the then Senate majority leader, Lyndon Johnson.)

The philosophy behind all this was perhaps most succinctly explained by Major Riddle, operator of the opulent Dunes Casino of Las Vegas. When the owners yelped about a \$20,000 contribution to a man very high in then-Governor Grant Sawyer's office, Riddle gave an explanation, which an informant has passed along: "The guy does whatever we want. Any one of the things he does for us would bring in \$20,000." And besides, Riddle added, the contribution in question was an economy when compared with the \$200,000 the Desert Inn had anted up for another influential politician.

Riddle told the informant later about the nuances of political giving and taking. The

case in point was the gambling license for Irving Devine, a local racketeer. Devine was prepared to make a hefty "political contribution" of \$50,000 to the Nevada governor's campaign for re-election, Riddle said, in return for his license.

"That's the only way our guy would do it," said Riddle. "You know, in a campaign, he needs funds. Any other time, it's something else again."

Unfortunately for Devine, a federal report disclosing his ties with skimpy racketeers began to circulate around Nevada shortly afterward. Any talk of a gambling license for Devine became a dead issue.

PROCONSUL OF THE BOSTON GANG WAR

The Fix is by no means limited to wide-open Nevada and the political backrooms of Chicago. It also flourishes in New England, with a ruthlessness that is a point of personal pride to the resident of Cosa Nostra proconsul, Raymond Patriarca.

At 59, Patriarca has two distinctions in Cosa Nostra. When it comes to manipulating the makers and enforcers of the law, he has few peers. His tightly disciplined 150-member gang operates a dazzling array of rackets and legitimate businesses over Massachusetts, Rhode Island, Connecticut and Maine.

He is also known as the only Cosa Nostra Boss to operate for more than three years within range of an FBI microphone. The Cosa Nostra Commission have held several discussions to decide how this mountainous blunder should be dealt with. Bosses have been killed for less. The bug itself, planted by the FBI in Patriarca's office in Providence, R.I., was bad enough. But Patriarca compounded the original security breach by letting some of the taped transcripts get into the federal court record. In this, his arrogance played a major role.

It all involved the income tax fraud trial of one of his capos, Louis Taglianetti. When Taglianetti was found guilty, Patriarca made his big mistake—by ordering an appeal of the conviction. This ultimately forced the introduction of the bugged tape transcripts in the record. The way Cosa Nostra sees it, far better Taglianetti should have served his seven months in the first place.

Among the disclosures in the FBI records:

Patriarca is the referee of the celebrated gang war that has plagued Boston for more than three years. He presides over the shabby scene with such authority that nobody is killed without his permission. At least a dozen of the 40-odd victims were slain on his direct orders. The bug picked up conversations among Patriarca and his capos concerning the slayings; the assassins themselves were named. At one point, when his own declaration of an armistice was not being observed, Patriarca proclaimed angrily that he was about to "declare marital law."

All types of crime in his bailiwick, not just the organized kind, are cleared by Patriarca—among them bank robberies, hijackings, arson, jewel thefts and kidnappings.

Such information, needless to say, was priceless intelligence for law officials. It was also a temporary lease on life for gangsters William Marfeo and John Biele, who had fallen out of favor with Cosa Nostra. The bug revealed Patriarca's various plots to kill the pair over a period of months, and on each occasion, FBI agents managed to tip them off—as well as the police. A ban on bugging in 1965 forced disconnection of the microphone in Patriarca's office. Within a year, Marfeo was slain in Providence; Biele was murdered in Miami last March.

As a Mob Boss, Raymond Patriarca sits as something of a judge himself, sometimes over the affairs of politicians. On one such instance, in 1963, a top official of the Rhode Island state government, much in Patriarca's debt, had been defeated for re-election. One of his backers, a Warwick, R.I. businessman,

had contributed \$17,000 to the unsuccessful campaign and wanted his money back, claiming it had been a loan. Not so, said the politician—it was an outright gift.

Patriarca himself held court on the matter behind the vending machines in his Coin-O-Matic office in Providence. Unsurprisingly, he ruled for the defendant. The \$17,000 was a gift. Judge Patriarca advised the businessman to forget it. He did.

Patriarca is far warier with his own political contributions. His political payoffs are held in a bank account that has come to be known as "Raymond's Escrow Fund." It is released to deserving political servants only after they have delivered for Raymond Patriarca.

A good example of this device was a battle in 1963 in the Massachusetts legislature over proposed extension of the racing season at the Berkshire Downs race track, at Hancock, Mass. At the time, Patriarca and the late Thomas Lucchese were among the hoodlums holding secret interests in the track. More racing days were needed at the track to keep it from going bankrupt. Patriarca spread the word that there would be an added purse of \$25,000 in Raymond's Escrow Fund for dispersal—if the track got a lengthened season.

There was a stormy floor fight in the legislature. Patriarca's forces lost, but the \$25,000 remained in Raymond's Escrow Fund.

But in routine matters, Patriarca's Fix, in spite of his tendency to talk too much about it, has worked smoothly. To cite an example: on Friday afternoon, July 27, 1962 a high-ranking state police officer flashed a yellow alert to Jerry Angulo, Patriarca's Underboss in Boston, that there was going to be a raid the next day on gambling joints at Revere Beach. When the raiders arrived, Patriarca's five joints were demurely closed. The police raided only the independent gamblers—who had been foolish enough to refuse to cut Angulo and the Mob in on their operations. On the following Tuesday, Angulo's five casinos reopened at new addresses and quickly lapped up the business of the gamblers who had been shut down in the raid. Three years later, in June 1965, with the Fix working smoothly as ever, the whole sequence of jiggers-shutdown-raids-reopening was reenacted at Revere.

If the Commission doesn't decide to eliminate him, Patriarca eventually could be tripped up by his own heavy-handed greed. Right now the chief witness against him in a conspiracy case awaiting trial is Joseph Barboza, a 35-year-old triggerman whom Patriarca had assigned in June 1965 to kill Marfeo (one of the occasions when Marfeo was tipped off). Later Barboza was imprisoned on an unrelated charge. His gangster friends immediately set about collecting funds to pay for an appeal. Two of them were waylaid—by Patriarca's men—and shot dead. The killers walked off with the \$80,000 they had collected. Barboza, stranded behind bars and enraged at the doublecross, became a government witness. Patriarca may live to regret it.

The Fix, like any other form of commerce, is peculiarly susceptible to the winds of inflation. Nowhere was this more apparent than in New Jersey, home of Vito Genovese and other thriving murderers and politicians.

In February 1963 three men sat down in a ramshackle club called "The Barn," on Route 22 in Mountainside, N.J., to discuss the rising cost of fixing police officials. Two of them were the gabby old friends who discussed Richie Bolardo's beckoning incinerator: Angelo DeCarlo and Tony Russo, the Genovese family's betting boss in Monmouth County. (Russo's sobriquet in the Mob is "Little Pussy." His brother John—"Big Pussy"—did a stretch for murder.) Also at the table was an informant for a law enforcement agency, and the minutes of that meeting, kept secret until now, have been a key factor in the recent amassing of in-

telligence by federal officials on New Jersey Mob activities.

The specific complaint of the two gangsters was the forthright grabbiness of a top-level officer in the New Jersey State Police. Russo said the police official was collecting \$250 a month for ignoring bookies around Monmouth Park race track, plus \$1,000 a month in gambling payoffs in Long Branch and another \$1,000 from Asbury Park. As if this weren't enough, Joe Zicarelli, a Bonanno capo who bosses bookie and lottery action in Hudson County, was paying, according to Russo and DeCarlo, an additional \$5,000 a month. And now, to top it off, Russo complained, this guy had the gall to demand double payoffs for each month of the summer season, when resorts like Asbury Park and Long Branch boom and so does gambling. The irony of it all, DeCarlo added bitterly, was that he, Russo and Zicarelli had only themselves to blame. They had personally picked their greedy policeman and arranged for a well-connected Hudson County politico to promote him to his high place on the force. DeCarlo promised to talk soon to the same politician about the state policeman's unseemly greed.

Whatever was said at that meeting, the result was negative, for the police officer continued to extort heavy payoffs from DeCarlo, Russo and Zicarelli until his retirement, two years later. Expensive though he was, he was worth too much to the Mob to warrant getting rid of him. He represented what is called in Cosa Nostra a "solid setup"—the ultimate protection, a direct hand-to-pocket Fix with a top law enforcement official in a policy-making position.

The power of the Fix in certain areas of New Jersey is just about total. In Long Branch, for example, a town of 26,000 on the Jersey shore, Russo told the informant that the Mob had taken charge. Russo bragged they had fixed elections and maneuvered the ouster of a city manager. "What was got in Long Branch is everything," said Russo. "Police we got. Councilmen we got, too. We're gonna make millions."

Russo said that another capo, Ruggiero Bolardo, no less, keeper of the crematorium near Livingston, was wanting to muscle into the Long Branch bonanza with some road-construction contracting. DeCarlo figured Bolardo was out of bounds on this—he and his son Anthony already had all they deserved with "all the electric work in Newark." (Anthony Bolardo lists his occupation as "public relations man" for an electrical contracting firm in Newark.)

Several federal agencies have confirmed and supplemented the information on the Russo-DeCarlo talk. One investigation stemming from it disclosed that DeCarlo, Zicarelli and Ruggiero Bolardo had combined to maneuver the friend of another gangster into office as police superintendent of a large New Jersey city. The Mob-selected police chief used to work as a doorman at crap games run by gangster John Lardiere.

Actually "Bayonne Joe" Zicarelli's outwardly modest position as head of a bookie and lottery syndicate in Hudson County does him considerable injustice. True, in New Jersey, his interlocking tie-ups with scores of Hudson County officials are so expensive that some gangsters consider him a "connection-crazy" wastrel. But Zicarelli has an international sideline so extensive that he's practically a one-man state department for the Mob. He has holdings in Venezuela and the Dominican Republic, and throughout the hemisphere is known as the man to see for guns and munitions when a government is to be overthrown or a rebellion is to be put down. For example, through the years he shipped arms to Dominican leaders, selling with fine and profitable impartiality to Trujillo and the men who overthrew him. (In next week's issue more will appear on Zicarelli's business interests.)

Even Zicarelli's domestic connections ex-

tend well beyond the confines of Hudson County, into the chambers of the U.S. Congress itself. Indeed, he is on the best of terms with the widely respected Democratic representative from Hudson County, Congressman Cornelius E. Gallagher. Gallagher is one of the bulwarks of the House Foreign Affairs Committee and was seriously mentioned before the 1964 Democratic convention as a possible running mate for Lyndon Johnson. Bayonne Joe and his congressman seem to have a lot to talk over, judging from the frequency of their get-togethers. These usually take place a long way from Washington or Bayonne—where Gallagher lives and Zicarelli runs the rackets. Sometimes the setting is a picturesque wayside inn off the Saw Mill River Parkway, north of New York, and the occasion is an unhurried and chummy Sunday brunch.

THE MOB: PART II

The most shocking truth about organized crime in America is that all of us, one way or another, one time or another, pay tribute to the Mob. Out of ignorance, greed, easy tolerance or fear we help it grow fat with our money—whenever we deal with the Mob's businesses, its agents or those beholden to it: when a housewife buys the product of a Mob-controlled company; when a teen-ager feeds a Syndicate-owned jukebox; when a businessman negotiates a quick loan with a Mob usurer; when a slum dweller plunks down 50 cents and hopes his lucky number will come up.

Last week LIFE described the Mob's intricate structure, its terror tactics and how it neutralizes politicians and policemen with the fix. This week's subject is the Mob's economic muscle—often veiled by a surface legitimacy and respectability: where it comes from and how it grows. One place it comes from is illegal sports betting, a weakness shared by millions of American males and a business thoroughly dominated by the Mob. Another, growing source of economic strength is "legitimate" business investment, a field in which Carlos Marcello, the five-foot-two Mr. Big of Louisiana, is a peerless exemplar. The Mob's other money-gathering techniques, ranging from "skimming" cash at legal gambling casinos to selling munitions to foreign governments, are chronicled in the article beginning on page 98.

There was a time when you could spot a leading gangster by the hard-eyed bodyguards on either side of him. Not today. Instead of bodyguards, the men on either side are apt to be an accountant and a lawyer. The change in image signals a change in style. The direct, bullying, pay-up-or-else method of extortion has given way, except for anachronistic exceptions, to such tactics as juggling (or stealing) stock shares and acquiring memberships on corporate directorates. The Mob has shined its boots and planted them in the marketplace. "Sophistication," it's called—the Mob has become sophisticated. But it is important to remember that the boots are still caked with filth, the or-else factor is still present. For all their transparent dignity, the men who run La Cosa Nostra are still murderers and thieves. For all its superficial polish, their operating procedure still depends on violence and corruption.

The full extent of Mob involvement in legitimate business is known only to the mobsters themselves. It is at least possible that it is their major source of revenue. What is certain is that the infiltration of respectable enterprises has not decreased their sway over the less reputable variety. The Mob may venture into new and stimulating realms, but it also stays with what it knows.

More than from any other source, far more than from dope, prostitution and loan-sharking combined, the Mob thrives by exploiting the almost universal human urge to gamble. Each year it handles \$20 billion

in illegal bets, of which it keeps \$7 billion profit. At least half of this is the rakeoff from betting on sports events.

Every day in every city, by telephone and in person at outlaw betting centers like the roadside market at right, thousands of sports fans lay in wagers on the outcome of football, basketball and baseball games, horse races and boxing matches. On every bet made, be it \$1 or \$10,000, the Mob collects a cut of the action, called vigorish—usually 10%.

But the appetite of the Mob is boundless. Its involvement in sports has led to widespread attempts to corrupt—or at least to "use"—individual athletes and coaches of high reputation. To the extent that such corruption succeeds, it threatens the fabric of spectator sport in the U.S., which depends for its existence on public confidence in the honesty of the game.

Inside information is the lifeblood of the bookie handicappers who run sports betting—a nationwide syndicate of big and small-time operators who are protected, partly staffed and almost totally controlled by Cosa Nostra. They need specific up-to-the-minute reports on the physical and mental condition of the teams involved—the kind of information that goes deeper than that on the sports page. They use it to set the betting line—the odds or the number of points by which one team figures to beat another. And, if they can get even more solid indications of the outcome of a sports contest—by fixing it—all the better.

Accuracy in the assessment of a contest can pay princely dividends and mobsters are skilled at prying the information they need from the sources: the college and professional coaches and players themselves. They ingratiate themselves as friends and fellow sportsmen, doers of favors and, above all, good listeners. The success of their operation depends largely on how well the mobsters are able to build and maintain these pipelines to coaches and players who, either innocently or for their own advantage, feed them information.

The biggest of the bookie-handicappers—at least until his recent gambling conviction—is one Gilbert Beckley of Miami. When the FBI nabbed Beckley on Jan. 8, 1966, his records showed that on that day alone he handled \$250,000 in bets and turned a profit of \$129,000.

Top bookies are known among themselves by numbers—just like players on the gridiron. Beckley uses No. 1 or 111; Frank Rosenthal of Miami, 3; Eugene Nolan of Baton Rouge, La., 98. This allows for quick, nameless communication and also refers to the page number in the books in which the gamblers record business dealings among themselves.

In Beckley's black book police last year found next to a phone number the word "Skiball," the nickname for Francesco Scibelli. Scibelli, a member of the Genovese Family of Cosa Nostra, runs a gambling syndicate in Springfield, Mass. Scribbled next to "Skiball" was the name of Bob Cousy, one of the half-dozen greatest players in basketball history. Before his retirement in 1963, Cousy helped the professional Boston Celtics to six world championships. Since then he has been a successful head coach at Boston College.

Questioned by LIFE, Cousy denied knowing Beckley but admitted that Scibelli was a friend whom he had met through an even closer friend, Andrew Pradella. Pradella, it turned out, is Scibelli's partner in bookmaking. Because they always have such excellent information, the Scibelli-Pradella ring is known as the "Scholar Group."

Cousy admitted he knew the two were gamblers and that he often talked to them about both pro and college basketball teams and their chances of winning. "I'd be having dinner with Pradella when Scibelli would come over," said Cousy. "They got together

each night to balance the books or something."

Did Cousy realize his friends were using what he told them to fix betting lines and to make smart bets of their own?

"No," said Cousy. "I thought they figured the betting line with mathematics. But it doesn't surprise me. I'm pretty cynical. I think most people who approach me want to use me in some way."

Cousy conceded he had been warned about his associates by Boston police as long ago as 1963. But he refused to end the relationship, even after an experience that shook him up a bit. Pradella, he said, invited him to a banquet in Hartford that turned out to be a gangster conclave. "Police were watching the place," said Cousy, "and the whole Mob was there."

Cousy still defends his actions. "In this hypocritical world we live in," he said, "I don't see why I should stop seeing my friends just because they are gamblers. How can I tell Andy when he calls and asks about a team that I won't talk to him about that?"

The arrest of Beckley also led to the disclosure that as recently as last season he had been secretly feeding information about suspected fixing of pro football games and betting by players to the office of pro football commissioner Pete Rozelle. In return, Rozelle's chief investigator, William G. Hundley (a former head of the Justice Department's Organized Crime Division), wrote a letter to the U.S. Probation Office seeking leniency for Beckley on grounds that he had "cooperated" with the league on "certain matters."

The "certain matters" presumably included investigation of the relationship between a star American Football League quarterback and two bookies, Carmello Coco and Phillip Call. The inquiries were stepped up after the player's teammates were overheard in the locker room angrily accusing him of "throwing" the game they had just lost. But no public accusation has yet been made.

Another potentially explosive situation involves the strange affinity that several members of the Boston Patriots pro football team have for a ramshackle roadside store in suburban Revere, Mass., named Arthur's Farm. Behind its shabbily humdrum front, Arthur's Farm turns out to be a beehive of Mob activities. It does a fast business in sports betting and the exchange of stolen property, and doubles as an informal conference hall where gangsters can get together with people who are of use to them.

The proprietor is Arthur Ventola, a convicted fence. Among the regular habitués are Arthur's kinsmen—Nicholas (Junior) Ventola and Richard Castucci, both active bookies. Another is Henry Tameleo, a lieutenant of New England Cosa Nostra Boss Raymond Patriarca who, with Tameleo, is now awaiting trial for an interstate gambling-and-murder conspiracy.

Another regular at the farm, it turns out, is Babe Parilli, quarterback of the Boston Patriots. "Half the team goes out there," Parilli told LIFE. "One of the coaches, too. But we're not doing anything wrong." Parilli admitted knowing Arthur and "Junior" and to having met Tameleo. He insisted he did not know they were mobsters, or that they used information garnered from Parilli and the other Patriots to make a killing on "informed" bets.

Why, then, do Parilli and his teammates visit Arthur's Farm so often? "We stop on the way home from practice," says Parilli. "To buy toys, razor blades and things we get at wholesale prices."

Ask for Carlos Marcello in Louisiana and you will immediately be recognized as an outlander. Ask for the "Little Man" and, even though you won't get him, a lot of natives will at least know whom you're after. At a barrel-chested 5-foot-2, Marcello is undeniably short. But he's not little. He is so potent, in fact, that Cosa Nostra mobsters

in the east—as was reported in last week's *LIFE*—gave him the contract to try to spring Teamster boss Jimmy Hoffa from prison, and put \$2 million at his disposal to take care of whatever fixing might be entailed.

Marcello is one of Louisiana's wealthiest men. His total worth has been estimated at \$40 million and more. He owns motels, a juke-box and vending machine company, a sightseeing bus line and a 6,500-acre estate in Jefferson Parish outside New Orleans. His clothes are well-tailored, his cigars imported, and when he gave his daughter in marriage, the bridesmaids all received mink stoles. He contributed \$100,000 to agencies helping victims of Hurricane Betsy in 1965 and has plunked down \$10,000 for the Girl Scouts. He is also a hoodlum and the lord of one of the richest and most corrupt criminal fiefdoms in the land.

Marcello's realm extends from the Ozark foothills to the Mississippi River Delta, and within that realm his power is majestic. He operates through a complex of political fixes which enable him to control or influence the makers and enforcers of law at every level of state government. When he's out of his realm, though, he's apt to get nervous.

Marcello and several other Cosa Nostra hoods were arrested last year after a lunch in a New York restaurant. Posting bail promptly, he flew back to New Orleans. To his chagrin, he was greeted at the airport by a horde of federal agents, policemen and reporters. This was too much for the Little Man. "I'm the boss around here!" he shouted, pushing his way through the crowd. "There'll be no more of this. Are you looking for trouble?" Then he took a roundhouse swing at the nearest offender. It happened to be FBI agent Patrick Collins, and the next day found the Little Man charged with assaulting a federal officer.

State authorities, for the most part, take the view that Marcello and his gang aren't there. "I'm thankful we haven't had any racketeering to speak of in this state," says Governor John McKeithen. To McKeithen, Marcello is nothing but a "thug" without influence or power.

Marcello tries hard to encourage this dreamy notion. Few of the companies he controls are in his name, and he stays discreetly behind the scenes in the illegal but wide-open gambling casinos he controls in Jennings, Lafayette, Bossier City, West Baton Rouge and Morgan City. He is screened by his brothers and his son, Joe, who operates a motel. One brother, Pete, is the proprietor of a strip-tease bar in New Orleans. Another, Joe, runs the family restaurant, Elmwood Plantation. Brother Pasquale runs a bar, brother Vincent heads the jukebox company and brother Sammy is in charge of bookmaking. Home base, the \$22 million estate named Churchill Farms, is a corporation. The majority interest is controlled by Carlos, his son and his brother Joe.

The Fix seems to weave through Louisiana like a muddy creek. Associations and alliances that would cause scandals elsewhere are amiably tolerated there. Political and economic leverage is often a matter of friendship or social connection, and there is no neat line to separate the good guys and the baddies. Aaron Kohn, who came from Chicago in 1953 to head the Metropolitan Crime Commission in New Orleans, was astonished at this. "After about a year," he recalls, "I began to realize something about the system down here. In Chicago, people were generally on one side of the fence or the other—honest or crooked. But in Louisiana there just isn't any fence."

McKeithen will order the state police into action against gambling, but only when it becomes "flagrant or notorious"—in effect, when someone important complains or news of the gambling gets into print or is raised against from the pulpit. He knows it doesn't pay to be overzealous. "Look at Grevemberg,"

he says, referring to ex-State Police Superintendent Francis Grevemberg. "He cracked down on gambling. He was tough. He went around with a flashlight and an ax, bursting up little honky-tonk places. Do you know where he placed when he ran for governor? Fifth!"

In this atmosphere the Little Man can maneuver as freely and happily as a pig in a wallow. He was convicted in 1930 of assault and robbery (he received a full pardon in 1935 from Governor O. K. Allen) and in 1938 of selling marijuana, for which he served nine months in the federal prison at Atlanta. Since then there has been sporadic court action against him—most of it initiated by the federal government—but no convictions.

In Orleans Parish, the chief law officer is the celebrated Jim Garrison. Garrison is friendly with some Marcello henchmen, but that, says the district attorney, is a coincidence without significance. "It doesn't mean anything," Garrison told *LIFE*, "because I have no connection with Marcello, I don't have to worry about things like that. I've cleaned up the rackets in this town."

Garrison says he knows Marcello's book-making brother Sammy—"I've seen him at the New Orleans Athletic Club and Moran's Restaurant"—but denies knowing that he is a bookie. Also among his acquaintances is Mario Marino, a Marcello lieutenant who moved from New Orleans to the Sands Hotel in Las Vegas 10 years ago. When Garrison goes to Las Vegas, he is the guest of the Sands and Marino makes the arrangements.

Three times since 1963, the Sands has paid Garrison's hotel bill. On his last visit in March the tab was signed by Marino himself. Garrison was also granted a \$5,000 credit in the cashier's cage, which meant he could gamble up to that amount without putting his own money on the table. At that time the Sands operated one of four Las Vegas gambling halls controlled by Cosa Nostra Bosses.

Garrison contends that he didn't gamble and that Marino gave him the credit so he could cash checks. He is unable, he told *LIFE*, to see anything wrong with a prosecutor freeloading at a Mob-controlled casino. He said he felt it was customary for casinos to pick up the hotel tabs of public officials. "I may be naïve—this is my first public office—but I don't see what's wrong with it," he said. "I imagine any D.A. would have a good credit rating [in a casino]." He also denied knowing about Marino's involvement with Marcello, though he insisted it made no difference—"I have no connection with Carlos Marcello."

Judge Andrew Bucaro, a municipal court judge in New Orleans, freely discusses his friendship with Marcello, an old pal and a remote relative by marriage. He admits that he attends frequent parties at Churchill Farms, but says his visits have nothing to do with judicial discretion. "We don't discuss cases," he says, "we just barbecue goats on a spit. There is nothing sinister about our relationship. Carlos Marcello needs a Fix in the municipal court as much as Rockefeller needs to steal pennies."

Jefferson Parish south and west of New Orleans, is far more vital to Marcello than the city itself. Within it are his headquarters, the Town and County Motel; his vending machine-jukeboxes firm, the Jefferson Music Company; and a bookmaking ring. And since Jefferson Parish is Marcello's home base, the fixing that goes on there is as visible as it is flagrant. Marcello has prospered without noticeable interference by Jefferson's District Attorney Frank Langridge—whose chief investigator, Joseph "Zip" Chimento, was convicted in 1943 of bribing a witness to help two Mafia chieftains. Chimento was a collector for Marcello's jukebox firm before he joined the district attorney's staff.

But Marcello's interests extend far beyond Jefferson Parish. In Bossier City, an open

town across the Red River from Shreveport, he owns gambling joints, B-girl bars and brothels. Many of his employees are refugees from Phenix City, Ala., who were run out of town when organized sin in that town was routed 13 years ago. In one section of east central Louisiana, Marcello controls gambling and other vice with muscle provided by the Ku Klux Klan. On Highway 190 near Baton Rouge he has a new windowless casino, officially called a bingo parlor, due to open this month. It is presided over by Frank Vucl, once personal bookie to the late Governor Earl Long.

Whenever possible, Marcello is kind to sheriffs. At a peace officers' convention in Bossier City last spring, one Louisiana sheriff was accompanied by Vucl, who paid all his expenses. When it appeared the conference was running short of cash, Marcello offered to spring for the whole meeting. Another sheriff, together with members of the Louisiana Racing Commission, was a dinner guest of Marcello at the Evangeline Downs race track last April 20.

Like all modern mobsters, Marcello has been expanding his legitimate enterprises. His Jefferson Music Company almost monopolizes vending machines and pinball games in Jefferson Parish. Each year he lends thousands of dollars to restaurant or tavern owners if they agree to accept his jukeboxes, cigarette machines or pinball games. His bus firm, Southern Sightseeing Tours, has a near monopoly in New Orleans.

The biggest deal on his horizon, however, is the proposed domed stadium which will house New Orleans' new National Football League team, the Saints. Marcello has offered to give the city 200 acres of Churchill Farms as a site for the arena—an act of generosity at least partially motivated by the expectation of getting a \$1 million-a-year parking concession.

As his wealth, influence and infamy have increased, Marcello has become more interesting to federal lawmen. Although rarely able to prosecute him, they have managed from time to time to make him squirm. For years a deportation case has been pending against him; he was once forcibly grabbed by Justice Department agents and hustled onto a plane to Guatemala. His immigration troubles have led him to the ultimate bribe—putting the Fix on an entire nation. Marcello was born in Tunisia of Italian parents. Because Tunisia's status has since changed—it was a French protectorate when he was born there in 1910—it will accept no responsibility for his nativity. Neither, at present, will Italy. Marcello has been paying \$25,000 a year for many years to a high-ranking official in the Italian government to ensure that Italy doesn't change its mind.

Since Cosa Nostra sells no shares and files no annual reports, no one can say for sure just what its legitimate investments amount to—indeed, the way of Mob operates, it is difficult to distinguish "straight" money from crooked. The best hint came from gangland's own financial wizard—Meyer Lansky himself—who made a modest appraisal of the Mob's private holding.

"We're bigger than U.S. Steel," said Lansky. Even though U.S. Steel's assets are \$5,642,379,942 and its 1966 profits came to \$249,238,569, Lansky's boast strikes federal investigative agencies as conservative. The gangsters are in almost everything, foreign and domestic. Their holdings range from Big Board securities to diaper services.

But if mobsters turn "legit," some people will say, isn't that all to the good? The answer is no. Over the last decade, government investigations have proved that a lawful enterprise doesn't remain legitimate once the gangsters get into it. Thievery is their way. Their executives are extortionists. Some of their salesmen are killers. A huge national food chain found this out, to the general horror of its personnel and its customers, as will be detailed later in this article.

The Cosa Nostra establishment in legitimate business is international and astonishingly intricate. It has employed—in addition to the predictable crew of sharpshooting accountants, gamblers and union officials—figures as diverse and improbable as a United Nations delegate and bankers with diplomatic passports from Iron Curtain countries.

As highly sophisticated forms of theft have gained favor in Cosa Nostra, the old-fashioned shakedown has become almost as rare as the white hat. It is regarded as unnecessarily risky. Three mobsters in the Gambino Family—Willie Dara, Tony Esperti and Nick Farinella—tried it the old way in Miami this year: a bold attempt to squeeze \$25,000 out of a Miami store owner, John Maloney, "for the people up north." Maloney simply called the FBI, which made the case. The three hoods, convicted of extortion on Maloney's testimony, face prison terms up to 40 years. Such throwbacks to the old days of the "protection" racket get one response from a majority of today's hoodlums. Stupid.

It's safer by far to make a buck the way a Genovese Family capo, Nicolas Rattenni, does it—hauling garbage in the New York suburb of Yonkers. Rattenni simply squeezed out other firms until he had 95% of the garbage collection business. Though he is still a gangster, at least, he appears to be serving his customers as opposed to shaking them down. Woe, certainly, to would-be competitors—but most of them can be dealt with through the Fix, somewhere short of violence.

The true bonanza the Mob has struck in legitimate business is "skimming"—diverting a portion of cash receipts off the top to avoid taxes. Chiefly for this reason the tycoons of Cosa Nostra tend to flock to any enterprise that has a heavy flow to cash—vending machine companies, jukebox firms, cigarette machine routes, some box offices and ticket agencies (the scalping of sports and theater tickets is a form of skim), and, of course, licensed gambling casinos. Then they proceed to steal large sums before they can be entered on the books and come under the eye of the IRS.

It follows that the money derived from the skim is ideal for greasing the wheels of organized crime. It pays off politicians, crooked cops and killers. It is also used as tax-free bonuses to persons with no gang connections at all—only greed. One well-known film star, for example, received \$4,000 under the table in addition to his one-week contract price of \$20,000.

A single jukebox or cigarette machine business may yield thousands in skim. FBI agents in Chicago discovered that Eddie Vogel in a period of a few months skimmed \$180,000 from his music and vending machines. He and Momo Giancana actually counted it up amid the linens and tomato paste in a back room of an Italian restaurant, the Armory Lounge.

The biggest skim yet discovered took place in the legalized gambling casinos of Las Vegas from 1960 to 1965; many details of it are being disclosed here for the first time. Its breakup by federal agencies has sent the Mob scurrying all over the world—to places like England, the Caribbean, Latin America and the Middle East—in search of a bonanza to replace its profits. Some \$12 million a year was skimmed for gangsters in just six Las Vegas casinos; the Fremont, the Sands, the Flamingo, the Horseshoe, the Desert Inn and the Stardust.

One notable example of a skimming transaction concerned \$75,000 owed to the Fremont and Desert Inn by Alexander Guterman, a celebrated swindler. The money was collected, but never reached casino ledgers. It was conveyed as skim through Panama branches of Swiss banks by Eusebio Antonio Morales, at that time Panama's alternate delegate to the United Nations. (Currently

Morales is Panamanian ambassador to the United Kingdom.)

Las Vegas is one of the so-called "open" territories agreed upon by the Mob, where all Cosa Nostra families are relatively free to operate and invest. The carving up of the gambling skim among various Cosa Nostra leaders follows a ratio determined by each mobster's secret interests in the casinos. Each hidden share of a casino was priced in underworld markets at \$52,500. The dividend on each share was \$2,000 a month—or about 45% annual return.

During the lush years of 1960-65, Gerardo (Jerry) Catena's gang in New Jersey split up some \$50,000 a month. Meyer Lansky and Vincent Alo, the Cosa Nostra shadow assigned to keep Lansky honest with the brotherhood, picked off some \$80,000 a month. The Catena-Alo-Lansky money came from four of the six casinos—the Fremont, Sands, Flamingo and Horseshoe. Momo Giancana's take, from the Desert Inn and the Stardust, exceeded \$65,000 a month. From the same two casinos, the Cleveland gang chief, John Scalish, received another \$52,000 a month.

Skimming in Las Vegas, from casino counting room to Swiss bank, has always been overseen by Lansky, the Cosa Nostra Commission's most important non-member—always with the Cosa Nostra heavies peering over his shoulder. As cashier and den father of deliverymen, Lansky has remained the indispensable man.

A recurrent problem for Lansky's Las Vegas front men and accountants has been the reconciliation of the interests of a casino's owners-of-record, who hoped to profit, and its secret gangster owners, hungrily awaiting their skimming dividends. "How can you steal money and pay dividends?" Ed Levinson, chief of the Fremont Casino, once besought one of his partners. "You can't steal \$100,000 a month and pay dividends. If you steal \$50,000? Well maybe . . ."

Each month, when the skim was running smoothly, the bagmen shuttled between Las Vegas and Miami with satchels of cash. The couriers also brought the skim from Bahamian casinos to Miami. There Lansky counted it all, took his own cut and then parceled out the rest to the couriers who were to carry it to the designated Cosa Nostra hoods, or to the Swiss banks where they have their accounts.

Lansky's bagmen have been a diverse and colorful lot. Among his all-stars from 1960 to 1965:

Benjamin Sigelbaum, 64, business partner of Robert G. (Bobby) Baker when Baker was secretary of the Democratic majority in the U.S. Senate. Sigelbaum is a man with general affinity for political connections. Back in 1936, he was convicted in Camden, N.J., and given a suspended sentence for concealing assets in bankruptcy. By 1958, he was given a full and unconditional pardon by President Dwight D. Eisenhower.

John Pullman, 66, a banker in Switzerland and the Bahamas who once served a prison term for violating U.S. liquor laws. Pullman gave up his American citizenship in 1954 to become a Canadian. He now lives in Switzerland.

Sylvain Ferdmann, 32, a Swiss citizen who is an international banker and economist. U.S. authorities have marked Ferdmann a fugitive; he is accused of interfering with the federal inquiries into the skimming racket. In 1963, when Teamster boss Jimmy Hoffa needed to raise money for union officials' surety bonds, he dickered with Ferdmann.

Ida Devine, 45, the only woman to carry the satchel for Lansky. She is the wife of Irving "Niggy" Devine, a ubiquitous Las Vegas racketeer.

Sigelbaum and Mrs. Devine traveled from Las Vegas to Miami; Ferdmann from the

Bahama casinos to Miami; Ferdmann and Pullman from Miami to the numbered-account banks in the Bahamas and Switzerland.

The Mob's skimming cash flow was a remarkable study in itself. It generally moved first through two Bahama banks—the Bank of World Commerce and the Atlas Bank—and then on to the International Credit Bank in Switzerland.

As of 1965, the boards of directors and staffs of all three banks were studied with both skimmers and couriers. The president of the International Credit Bank was Tibor Rosenbaum, a man who travels on a diplomatic passport from Albania. On the board were Ed Levinson, operator of the Fremont Casino, and Pullman. Ferdmann was listed as a staff "economic counselor," and it was he who organized the Atlas Bank in the Bahamas, as a subsidiary of the I.C.B.

The directors of the Bank of World Commerce, also in the Bahamas, included Pullman (for a time he was its president); Levinson; Sigelbaum, and, once again, Niggy Devine, Ida's husband.

Sigelbaum holds the overland record for bag-toters. For more than two years, he jetted between Las Vegas and Miami two or three times a month, carrying an average of \$100,000 each trip.

When investigative heat neutralized Sigelbaum as a courier, Lansky brought on the lady in mink, Ida Devine. The list of people and places on one remarkably devious trip she made to Miami is a fascinating vignette in the annals of bag-toting.

It took her from Las Vegas to Los Angeles, thence by train (she hates flying) to Chicago, Hot Springs, Ark., back to Chicago (see pictures), then to Miami—hanging on all the way to a bag containing \$105,650 in skim money. On her first Chicago stop she was met by Mrs. George Bleber, wife of an attorney who represents gangsters. On her second arrival in Chicago, she was met by Bleber's partner, Michael Brodsky, whose Mob clients are even more numerous. The money ultimately was split up in Miami by Sigelbaum and Pullman: \$63,150 for Lansky, \$42,500 for Jerry Catena in New Jersey.

At the time, Pullman was toting the skimming money from Miami to the Bank of World Commerce in the Bahamas. But a few months later he, like Sigelbaum, was forced to relinquish the bag—this time to Sylvain Ferdmann.

Ferdmann took over both the transcontinental and transatlantic bag routes for most of the next two years. His contacts in this country were bizarre, including functionaries and members of the Communist party in New York, and a man who had big financial dealings with the Czech delegation to the United Nations. The conclusion drawn by investigators—from Ferdmann's contacts, from the fact that the International Credit Bank has strong ties with Communist countries and from the fact that his bag was stuffed with money both going and coming—was that there was a flow of Communist money coming back through the skimming conduit.

Ferdmann made one bad blunder in all this. On March 19, 1965, as he was loading his satchels into the trunk of an auto at Miami airport, he dropped a piece of paper from one of his pockets. It was found by a parking attendant, who turned it over to authorities. It was a note on the letterhead of the International Credit Bank:

"This is to acknowledge this 28th day of December 1964, the receipt of Three Hundred and Fifty Thousand (\$350,000) Dollars, in American bank notes for deposit to the account of Maral 2812 with the International Credit Bank, Geneva, the said sum being turned over to me in the presence of the named signed below."

John Pullman was listed as a witness on the note. Under his own signature, the cautious Ferdmann had added this postscript:

"The above is subject to the notes being genuine American banknotes." Here for the first time was a document proving not only the receipt of the Mob's skimming money by the Swiss bank, but also providing the account number.

Inevitably, America's stock market fever over the last two decades caught the eyes of Cosa Nostra and led to the establishment of a highly lucrative new subsidiary market—traffic in stolen securities. To handle everything smoothly the Mob put together yet another international network of couriers, shady financiers and banks. This apparatus began functioning two years ago during a series of Wall Street robberies that authorities traced to the Brooklyn gang of Cosa Nostra Commissioner Joe Colombo. Colombo seems to fancy the world of finance. He often stuffs a copy of the *Wall Street Journal* in his pocket, an affectation looked upon as ostentatious by those acquainted with his comic-book reading habits.

Since 1962, in just six thefts in Manhattan, Colombo's men are believed to have made off with securities valued at \$8 million. The latest score attributed to the Colombo thieves—one which received virtually no publicity—was the brazen looting last May 14 of safes in the Manhattan borough surrogate's office. The safes contained securities and other assets of estates handled by the surrogate's office. It was announced at that time that the amount of the loss was undetermined. Investigators have since determined that the thieves grabbed at least \$500,000 worth of securities. That much of the loot was transported to Belgium by a courier who dropped it into a Brussels bank. The Belgian bankers then were somehow induced to send the stolen securities back to this country for sale.

Other securities from other robberies are known to have been sold by the Colombo Mob to banks in West Germany, France and Africa. Arrangements for many of the sales were made by a London fence—another improbable character: Alan Cooper, 36, an ex-GI who served a prison term for a bank robbery in Germany.

Colombo's gangsters manage even bigger profits—though at greater risk—when they can induce a U.S. banker to accept stolen stocks as collateral for a loan. The mobsters then put the money borrowed on the hot securities into quick-profit loan-sharking which enables the Mob to pay back the banks so soon as to cost practically nothing in interest. The gangsters retrieve the stolen stocks and bonds, and then—if all works well—post the hot securities for a second loan from yet another bank. All the time this is going on, shylocking fees are still piling up from hapless borrowers who got money from the original loans. Colombo has been known to double his money in less than two months through this repeated cycle. The key, of course, is a banker devious enough to accept the stolen collateral. Federal officials have identified a dozen such bankers in the New York area who have issued loans to Colombo's men on stolen securities. All of them are "hooked" by the Mob in some way, through physical fear or blackmail.

The foremost internationalist among all Cosa Nostra entrepreneurs is neither skimmer nor stock swindler, but old Bayonne Joe Zicarelli—the Hudson County hustler of goods and politicians, "Joe Z's" extensive line includes military aircraft parts, munitions and murder contracts.

Although Zicarelli, at 55 isn't a top-notch in the Mob, the international operations he has conducted from the Manhattan offices of the Latamer-Shipping Co. show how well an enterprising Cosa Nostra second-stringer can make out if he hustles.

Zicarelli and the former Dominican Republic dictator, Rafael Trujillo, were fast friends. Trujillo shelled out more than \$1 million to Joe for machine guns, bazookas, etc. With Trujillo's assassination, Zicarelli

quickly proved he is without political bias; early this year, the U.S. State Department found that Joe's emissaries were dickering with present Dominican leaders to take over an airline.

Another friend was erstwhile Venezuela President Pérez Jiménez, during whose dictatorship Zicarelli landed a \$380,000 contract to supply aircraft parts to Venezuela. Profit: some \$280,000.

This was by no means the extent of Joe Z's Common Market. In the 1950s, when his deals with Venezuela were cooking, Zicarelli staunchly volunteered to officials of that country to arrange the assassination of the exiled Venezuelan political leader Romulo Betancourt. The plot bogged down in unseemly haggling over Zicarelli's fee: \$600,000.

There is no measure of how much money Zicarelli made from Trujillo. But in the past two years federal investigators have discovered that he did a lot of work, whatever the price. Details of just how much he did have never been disclosed until now. One of his little favors for Trujillo: the 1952 execution of Andres Requena, an anti-Trujillo exile. Zicarelli gunmen shot Requena in Manhattan.

Next on Trujillo's list was another exile, Jesús de Galíndez, a teacher at Columbia University. Joe Z arranged that one, too. In a famous case, Dr Galíndez was kidnapped in Manhattan on March 12, 1956. At a Long Island airport, he was loaded aboard a private plane and flown by an American pilot, Gerald Murphy, to the Dominican Republic. Both De Galíndez and Murphy vanished and are presumed to have been slain.

The plane used by De Galíndez' abductors was chartered at the Linden, N.J. airport on March 5, 1956. Federal authorities have learned that the aircraft was chartered by Joe Zicarelli.

On his home ground in Bayonne, Joe Z has performed similar services for prominent people. For example, in the fall of 1962, the body of a Bayonne gambler was hauled by Zicarelli's men from the home of a Hudson County political figure—placing the politician more than slightly in Zicarelli's debt.

It wasn't one of Tony Anastasio's good days. In the fall of 1957, everything seemed to be going against him. Once upon a time, the Cosa Nostra power of his brother Albert, the old Lord High Executioner of Murder, Inc. fame, had made Tony boss of the biggest local of the International Longshoremen's Association (ILA). But Albert had been murdered in a Manhattan hotel barber chair, and now Tony—"Tough Tony," as the press had taken to calling him—was a union boss in name only.

The brooding Anastasio was flying to Miami for a few days in the sun. In the seat beside him, as it happened, was an official of a federal law enforcement agency. They knew each other. After about three drinks, Tony began to share his troubles with the official, who was notably sympathetic.

They talked of what had happened to Albert, and suddenly Tony blurted: "They gave me to Gambino!"

"I got to answer to Carlo," he moaned to his astonished companion. "Joe Colozzo told me I'm nothing but a soldier."

"They," of course, were the Cosa Nostra Commissioners, who had put Anastasio—not to mention his 14,000 union members—under the control of Carlo Gambino, who had taken over the slain Albert's Costa Nostra Family.

Until now, Joe Colozzo had been just another of Tony Anastasio's gangsters in the Brooklyn longshoremen's union. Now he was Gambino's strongman—and Tony was suddenly nothing.

That was the way it was in the Brooklyn ILA in 1957. That, according to the experts, is still the way it is today—regardless of recurrent publicity about a "new look" on the seamy waterfront. Though the public was

understandably eager to interpret the waning of Anastasio's power on the docks as a sign of a real clean-up of Mob control, such was not the case. After Tony's death in 1963, and despite some reforms instituted by the New York-New Jersey Waterfront Commission, it was still business as usual for the Mob.

FBI Director J. Edgar Hoover told a congressional subcommittee that the gangsters are so powerful on the docks that "... ultimate control ... of the New York port, including New Jersey facilities, rests with the leadership of the Vito Genovese and Carlo Gambino 'families' of La Cosa Nostra." Hoover's statement was echoed by Henry Peterson, chief of the Organized Crime Division of the Department of Justice. Peterson, in fact, went a bit further. He told a crime control conference of the "more than effective liaison between the ILA, the Cosa Nostra, and the Teamsters [union]."

The Mob's power over the nation's biggest port and its rackets—shakedowns, shylocking and thievery—stems from its grip on ILA locals. The Gambino gang today dominates the unions on the Brooklyn piers. On the docks of Manhattan and in New Jersey ports, the Vito Genovese gang is rigidly in control.

The most outspoken exponent of the waterfront's "new image"—and its most vociferous gainsayer of claims about the ILA ties with Cosa Nostra—is Tony Anastasio's son-in-law, Anthony Scotto. The death of Anastasio left his ILA local 1814 in the hands of Scotto, a handsome, remarkably self-assured young man who says he is "disturbed no end" to hear statements such as Hoover's and Peterson's. By that, one interviewer asked, was Scotto implying that there is no Cosa Nostra?

Scotto dropped his voice. "Between you and me, I know there is," he said. "But I'm not going to talk about it. I don't want to fight the whole world. I've got to drive home every night and back to work again in the morning."

What about the view, expressed in some parts of the law enforcement establishment, that Scotto is actually a member of Cosa Nostra?

"Pure, unadulterated ———," replied Scotto.

The talk turned to the gangster Colozzo, whose privileged status in the ILA headquarters in Brooklyn almost surpasses Scotto's. "I know everything you could tell me about Colozzo," said Scotto. "He is supposed to be telling me what to do. No one tells me what to do." He is equally airy about Cosa Nostra Commissioner Gambino: "I've met him once or twice—you know, at funerals."

Now and then, nevertheless, he goes to a lot of trouble to assist Gambino's kin. Last year, Scotto dispatched one of his union aides, Natale Arcamona, to Vietnam to speed up the unloading of Army cargo at Vietnamese ports. While Arcamona was there he received a very special assignment from Scotto; do what you can to get a comparatively safe post on the docks for a soldier—that is to say a U.S. soldier—who incidentally is a relative of Gambino.

Asked about the incident, Scotto quickly dismissed it. "I must have sent a couple of dozen of those telegrams for one guy or another," he said. "This is the first time I knew one of the fellows is related to Gambino. My name goes on a lot of things around the union. Sometimes you write a recommendation and then you regret it."

If Scotto is the prototype of the "new" ILA, it would have to be called an improvement—at least from outward appearances. He lectures at Harvard. He visits the White House. He attends international labor conferences. He is an officer of the recently founded American Italian Anti-Defamation League, Inc. (So is Dr. Thomas J. Sinatra, an ILA physician who happens to be Gambino's son-in-law. So, for that matter is Frank Sinatra—no relation.)

Unlike most ILA bosses, Scotto is chummy with public officials. At political gatherings, whenever he can, he seeks out and chats with U.S. Senator Robert F. Kennedy of New York. He lists public prosecutors as character references.

There is no question that when he's out in front doing the talking, Scotto is a polished, persuasive spokesman for the Brooklyn longshoremen. But behind him in the locals, the gangsters and their pals seem to be doing as well as ever.

Colozzo, for example, still brings Gambino's word to the ILA locals and acts as if he, not Scotto, were the boss of the Brooklyn piers. While Scotto bustles about the docks, Colozzo lazes in his union office. Barbers and manicurists come to him.

The expenditures of some ILA locals are under constant federal scrutiny, and one of them, currently, is Scotto's Local 1814. Particularly intriguing to federal officials are the fees paid in 1965 by the union to an accounting firm, the bulk of which were passed along by the firm to pay for a pad for Scotto's girlfriend. The firm, Farber & Landis, handles the books of Colozzo's and Scotto's locals and another ILA local, and also does the accounting for the ILA medical clinic fund in Brooklyn, and five businesses operated by Scotto and members of his family. In 1965, the fees from Scotto's local to Farber & Landis jumped from the \$2,000 paid in 1964 to \$7,000, or an increase of 250%.

Scotto insists that the firm got more money that year because it did more work. It was a coincidence, he said, that the accounting firm got the extra \$5,000 at the very time that it incurred in additional expense—the \$280 monthly rental paid by Farber & Landis for Penthouse K at 210 E. 58th Street in Manhattan.

The tenant in Penthouse K was Francine Huff, an auburn-haired fashion model and a warm friend of Scotto as well as E. Richard Landis, the accountant, and Louis Pernice, an official of Local 1814. A federal grand jury has been looking into Penthouse K.

"The grand jury tried to establish that the rental was paid with union funds," said Scotto. "That's not so. It was just a coincidence. The accounting firm paid the rent. We [he, Landis and Pernice] had a pad—it may have been immoral, but it was not illegal."

Union expenditures for such purposes would be misapplication of membership funds, a criminal offense under federal statutes.

According to Scotto, the grand jury called Miss Huff, Landis and Pernice. Miss Huff, he said, had invoked the Fifth Amendment.

Across the Hudson, in New Jersey, Catena's tight personal control of ILA locals has made Port Newark a flat Cosa Nostra concession. Catena's men in the Port Newark longshoremen's unions are John Leonardis, an ILA vice president, and Anthony Ferrara—known as "Ray Rat"—a business agent of Local 1235.

By Catena edict, New York officials of the ILA are forbidden to set foot on Port Newark docks without Leonardis'—i.e., Catena's—O.K. The order was strictly enforced. An early violator was George Barone, a Manhattan ILA boss. Barone ventured over, without a Leonardis visa, to round up business for a ship maintenance company. A Catena warning—"Nobody spits in Port Newark unless we say O.K."—promptly chased him back to Manhattan. From there, Barone apologized, pleading ignorance.

For a price, or a piece of the action, however, Jerry Catena does permit gangsters from other Cosa Nostra families to set up shop in Port Newark. A Lucchese gang leader, John Dioguardi, for one, gave Catena an interest in an Emerson, N.J. gambling operation, and in return controls a union that organized Port Newark cigar workers.

Of all the malevolent things the Mob has perpetrated or tried to perpetrate on legitimate business and an unsuspecting public, nothing ever topped the Catena detergent

caper. Indeed, it stands as a textbook example of what Cosa Nostra brings to the marketplace.

In the spring of 1964, Jerry Catena and his brother Gene wangled a contract from a manufacturer to wholesale an offbreed brand of detergent in the New Jersey area. Forthwith they began to push their "Brand X," as we'll call it here, through one of their front outfits, the Best Sales Co., of Newark. Best Sales has salesmen aplenty, of a sort—some 600 members of the gang that Jerry was running for Vito Genovese, plus others, such as representatives of the Amalgamated Meat Cutters and Butcher Workmen, and the Teamsters. Both had organized workers in food chain stores in New Jersey.

To move the Best Sales detergent Catena eventually pulled all the stops of Cosa Nostra power.

First, butchers' union agents began pointedly dropping word in food marts that the Best Sales product was a good thing. "Good people in that company," store managers were told, "particular friends of ours." Most of them got the message—and laid in a supply of the detergent, dutifully priced at 70c per box.

Early in 1964, the Catenas began thinking big, drawing a bead on the huge A & P chain. If the A & P could be "persuaded" to sell the product, or maybe even to push it over the big-name brands, the Catena boys would surely end up as soap czars.

There was no objection by A & P to testing the Catena detergent—indeed, it seemed for a few days that the Best Sales product was being favorably considered.

In April, however, A & P consumer tests disclosed that Catena's product didn't measure up to other brands—no sale. Within a few days, to add insult to injury, word reached Gene Catena that his detergent had been rejected because A & P had learned that the Catenas were selling it.

Gene, in a fury, promised to "knock A & P's brains out." And he tried.

On a May night in 1964, a fire bomb was tossed into an A & P store in Yonkers, N.Y. The store burned to the ground.

A month later, another Molotov cocktail touched off a fire that destroyed an A & P store in Peekskill, N.Y. In August, an A & P store on First Avenue in Manhattan was gutted, and in December, an A & P store in the Bronx.

Even then, though thoroughly frightened, executives of the chain did not connect the incendiary fires with their rejection of the detergent. The Catenas tried again to spell it out, in a more pointed way.

On the night of January 23, 1965, Manager James B. Walsh closed a Brooklyn A & P store and got into his auto to go home. A few blocks from the store, one of his tires seemed flat, and he got out to fix it. A car pulled up and four men got out. They killed Walsh with three pistol shots.

About two weeks later, on the evening of February 5, store manager John P. Mossner drove home to Elmont, N.Y. from his A & P supermarket in the Bronx. As he got out of his car in his driveway, a lone gunman stepped out of the shadows and shot him dead.

Two months after Mossner's murder, one more A & P store burned in the Bronx. The blaze had been started with a fire bomb.

Meanwhile, the butchers' union had begun negotiations on a new labor contract with A & P. The company's contract offers were rejected. The union made counterproposals which A & P considered outrageous. The butchers threatened to strike, and the Teamsters let it be known they would not cross the picket lines.

The A & P officials were growing frantic in the face of the apparently motiveless murders and fire-bombings and the deadlocked union negotiations. In desperation they appealed to the federal government for assistance of some kind.

It took about a month for government

informants to link the terrorism with the Catena detergent sales campaign. But proving that connection by producing the informants in a courtroom was out of the question. Accordingly, U.S. District Attorney Robert Morgenthau brought Jerry Catena himself before the federal grand jury. On his way into the jury room the puzzled gangster asked a government official why he had been called.

"We want to know about your marketing procedures," the official said.

"Marketing of what?" asked Catena.

"Detergent."

Ah, detergent! As of that moment, the A & P's terror ended. Catena appeared briefly before the grand jury and hurried from the courthouse. At their very next negotiating session, the strike-threatening butchers signed the A & P contract they had rejected weeks before.

A few days later, a federal investigator ran into one Gerardo Catena in lower Manhattan and asked pointedly how things were going in the detergent business. Catena's muttered answer was close to pleading.

"I'm sorry," he said. "I'm getting out of detergent."

And that was all. To try to muscle a mob-backed product onto A & P shelves, Catena or thugs in his employ had burned out five supermarkets and had murdered two innocent store managers in cold blood. And yet, because the government could not jeopardize its own informants by bringing them into court, Catena suffered only the minor inconvenience of a grand jury appearance and the failure of his detergent scheme. Gene Catena died a month ago, of natural causes. Jerry Catena, the hoodlum boss, and his bomb throwers and murderers continue to walk around free.

The bloody case is a measure of what the country is up against with the Mob and what the law is up against in bringing the mobsters to justice. On the editorial page of this issue LIFE states what it believes can and should be done to put an end to this disgraceful state of affairs.

OFFICIAL COVER-UP: A FLAGRANT CASE IN POINT

If the Fix is the Mob's most useful tool, the Cover-Up is of equal importance to public officials who allow themselves to be fixed or who ignore Fixes. Case in point: the censoring of the official report on organized crime of President Johnson's own crime commission. As an apparent result of political pressure, specific findings relating to official corruption were watered down or omitted.

Convened in 1965, the commission had the mandate to conduct the most far-reaching study of U.S. crime ever attempted. To prepare a special report on syndicated crime, the commission called upon a leading criminologist, Professor G. Robert Blakey of Notre Dame. The paper he submitted ran to 63 pages and, using Chicago as an example, dealt with specific links between public officials and organized crime. But when the commission issued its own final report, the Blakey findings had been reduced to four footnotes.

Blakey himself has refused to comment on the censorship. The crime commission's executive director, Harvard Law Professor James Vorenberg, who edited the final report, has denied to LIFE that he did any tampering: "It's all in the footnotes. We didn't change a comma, and if somebody says we did, it's a lie."

Nonetheless, a lot did get left out. One commission investigator thinks he knows why. "I believe the report was emasculated by Vorenberg because we didn't dampen this and dampen that. There were protests from officeholders in Chicago and enormous pressure on us not to be specific."

Here, for the first time, are some of the suppressed items:

"The success of the Chicago group [of the Mob] has been primarily attributable to its ability to corrupt the law enforcement proc-

esses, including police officials and members of the judiciary. . . ."

"Control, sometimes direct, has been exercised over local, state and federal officials and representatives. Men have been told when to run or not run for office or how to vote or not to vote on legislative issues or [for judges] how to decide motions to suppress evidence or for judgments of acquittal."

Blakey's report also spoke of "racket influence" in the Illinois state legislature and charged that such influence had been used to hobble prosecutors and police.

Blakey had listed the high command of Cosa Nostra, whose names appeared in *LIFE* last week. Even this was deemed too hot for the final report. The reason is obvious: since Cosa Nostra leaders operate in specific localities, the mere fact of their success reflects on the performance of local officials.

WE CAN BREAK THE GRIP OF THE MOB

For too long, Americans have treated organized crime as a fascinating game of cops and robbers. We have watched from the sidelines, complacently sure that the violence and the corruption took place in some world apart from our own—and that anyway, the bad guys would get theirs in the last reel. We have refused to take organized crime seriously enough to mount a real attack against it. The conspiracy of crime prospers—and the cold catalogue of facts that *LIFE* has presented in the series that concludes in this issue must stand as an indictment not only of the Cosa Nostra but of all of us.

There is no boundary line now between the Mob's world and ours. Organized crime is gaining in sophistication if not in numbers, adapting the modern tools of economics and technology to the task of taking over great chunks of the economy.

More important than the economic damage, though, are the holes that are being chewed in the fabric of our political system. Cosa Nostra did not invent corruption. It has existed as long as man. But the Mob's operation depends for much of its success on its ability to search out the weak—and its resources can provide irresistible temptation. Its targets are few—a tiny percentage of all officials. But as long as it succeeds unmolested the impression grows that much of government is suspect.

To mount a war against Cosa Nostra, it is vital first to understand it—and to ask what it is in America that provides such a hot-house climate for a criminal system unparalleled in history. Born during Prohibition as a means to enforce a truce between competing gangs, the Mob has grown fat providing illegal "services" in fields where the customer demand is great.

National prohibition is gone. But the Mob has prospered by diversifying—into "services" like gambling, narcotics, prostitution, loan-sharking and bootlegging. Today its monopoly on illegal gambling alone yields a profit of nearly \$7 billion a year—as much as the U.S. spends annually on its entire postal system. The first source of money for the Mob's treasury is the poor—the numbers player, the narcotics addict, the loan shark's victim. This was always comforting to the middle-class majority who were sure they were not involved. But the balance of the Mob's activities is shifting. It is involved in so much legitimate business now that it is no longer possible to ignore the fact that the Mob's reach is into everybody's pocket.

Cosa Nostra has learned well a basic law of economics. Money is worth nothing unless it is put to work. The profits of crime serve no function locked in a Swiss vault. But they represent tremendous power when they are brought back to this country and invested in legitimate businesses—businesses that often do not remain "legitimate" long, if the Mob takes over complete control. More and more, it is every consumer who pays—extra pennies for milk, higher road taxes for shoddy work, more for meals at restaurants

where the Mob has a lock on the garbage removal.

Organized crime has often been referred to as a "government within a government." A key to its strength is the fact that the Cosa Nostra is an oligarchy—a despotism of the few. Control from the top is complete and unquestioned, with the exception of the occasional assassination or coup that is expectable in any dictatorship. And its structure is designed to take advantage of just those aspects of the American system that make ours a uniquely effective democracy.

We protect the rights of the individual above all else, with laws like the ones against wiretapping, self-incrimination and unreasonable searches and seizures. Our court rules of evidence are strict. And we prefer a number of local police agencies to one all-powerful national police force that smacks too much of governmental systems we deplore.

Members of Cosa Nostra have a better understanding of these safeguards than do most Americans. And they use them to insulate themselves from justice. They are perfectly willing to sacrifice the petty hoods that they franchise. But they attempt to insure that each link in the chain of evidence leading upward to themselves is one that can be screened by the protections our system affords.

The continued existence of Cosa Nostra is proof of how well the system has worked. In the period from 1961 to 1966, the government indicted 185 men out of several thousand in the Cosa Nostra—an organization whose methods are murder, kidnaping, extortion and torture. Of those indicted, 102 were convicted—20 on narcotics charges, 16 for tax evasion, eight for contempt of court, two for parole violation, even one for violating the Migratory Bird Act. The conspiracy of silence that protects members of Cosa Nostra from the penalties fitting their more serious crimes has rarely been breached.

The crucial need is for tools that will break that conspiracy of silence. And chief among these are wiretaps and "bugs." There is only one federal law explicitly dealing with electronic surveillance—and it is ambiguous. But the net result of recent court decisions is to rule out any evidence gained from wiretaps and bugs. Paradoxically, while the courts have blocked the one source that most law enforcement officials believe is crucial in organized crime cases, they have had little success in stemming the increasing use of such devices against ordinary citizens by everybody from industrial spies to jealous husbands.

Those who are concerned about the rights of the individual have good cause to worry about the indiscriminate use of electronic surveillance. It would be to their advantage to support a bill that would outlaw the use of any such equipment—unless its use had prior court approval. We favor the proposal that such approval should come from a panel of three federal judges for protection from abuses by obliging judges. Just as courts can authorize search warrants, they should be permitted to authorize electronic surveillance when it has been proved that the target is the conspiracy of organized crime and that normal evidence-gathering techniques have been thwarted.

There are other fronts on which we can move. We don't need a national police force, but we do need coordination among the dozens of agencies responsible for some phase of the fight against organized crime. In the federal government alone, 26 separate investigative agencies are involved. There is logic to the argument that the FBI shouldn't have to tell all it knows to the police chief of a mob-dominated town. The armed services system of sharing information on a "need-to-know" basis with other officials of proven reliability should serve as a model.

We need such things as strong campaign-fund laws that will disclose the sources of finance for all elected officials. We need to look

again at institutions that have grown creaky with time—the rules governing grand juries, for instance, or the traditions that can continue an incompetent judge in office.

The needs are known. They have been developed exhaustively by study groups and congressional committees. The time has come for the Congress to write a balance back into our laws—one that will continue to safeguard our rights as individuals and at the same time protect us from the Mob.

Mr. KENNEDY of Massachusetts. Mr. President, in the pursuit of every goal, there is a time for talk and a time for action. In the field of crime, the time for action is now, the place is here. But no matter how serious the problem, action merely for the sake of action is not enough. Our action must be responsive, responsible, and honest. We must keep faith with the American people by resisting the temptation to lure them into complacency: we must not only admit to ourselves, but also demonstrate to them, that there is no simple answer to the challenge of crime; there is no painless panacea; there is no solution in the flaying of scapegoats; there is no security in the compromise of basic democratic principles.

Rather, our hope for a peaceful society lies in hard work at every level and in every sector of American life, in a commitment to thought and study and planning about our problem and our needs, in a willingness to change old patterns and try new ones, in patience and confidence that the constitutional foundations on which this Nation was built will continue to be the bedrock of our freedom and our happiness, and in a national decision to devote to the forces of law and order and justice a measure of our resources commensurate with the priority we place on domestic tranquility.

It was principally to provide a beginning and a stimulus to this allocation of new resources that the Safe Streets and Crime Control Act was proposed over a year ago. Its theme was the enhancement of the quality, capacity, and equity of the entire law enforcement and criminal justice system. Its method was a joint Federal-local effort to provide 20th century thinking, planning, and financing for an 18th century system marked by haphazard thinking, minimum planning, and serious underfinancing. It was designed to use the availability of Federal funds as a catalyst to action at the local level, action that would see modern equipment, suitable training, adequate pay scales, rational procedures, community involvement, research and analysis, and focus on rehabilitation of the individual, become the rule rather than the exception in every police department, prosecutor's office, courtroom, prison, and parole office in the country.

The bill did not suddenly spring full grown into the world. It had honorable and reliable parentage in the Juvenile Delinquency Act of 1961, in the Criminal Justice Act of 1964, in the Law Enforcement Assistance Act of 1965. Under these laws and others the Federal Government had acquired a knowledge and understanding of where the gaps and defects and bottlenecks in the criminal justice system lay. Federal officials had also developed attitudes, procedures and methods for assisting local communities

in facing up to these problems without substituting Federal judgment, direction, and responsibility for local discretion and control.

With this experience and sensitivity, and with the detailed information and recommendations assembled by the bipartisan National Crime Commission, the Justice Department drafted a bill which was sensible, targeted, effective, consistent, constructive, comprehensive, and balanced. No one claims that it was perfect—even in its own terms, there were nuances of emphasis and detail which could usefully have been added. But even in its original form it was a bill which deserved respect, and consideration, and passage.

For those of us who have worked hard on this bill in the drafting stages, in subcommittee, in committee and now on the Senate floor, its progress and development have been disappointing. It has been subjected to delay and dilution, and more of the same is threatened. It is on the verge of becoming a Christmas tree for additional crime control measures ranging from the Neanderthal to the unrefined to the absolutely necessary, all of which could and should have been considered separately and on their own merits.

Some of us warned last year that if the safe streets title were not taken up separately and kept insulated from dealings and maneuverings on other crime bills, the result would be no bill before summer, a safe streets title of reduced promise, encumbrances which would bog down the criminal justice system as much as safe streets would streamline it, and extended conflict and confusion over a measure which should have been processed speedily and agreeably.

It is with no sense of pleasure that I note that these predictions are well on their way to being borne out. As for time, we can see before us a battle royal on the Senate floor, a heated and extended conference, and further struggles over the conference report on the floor of both Houses.

As to substance in title I we have seen the programs and principles of the safe streets title chipped away at, to the point where if any other changes are made in the structure and functioning of the program, its thrust may be detoured into the wrong places for the wrong purposes and for the wrong reasons.

In title II we find a blatant appeal to irrationality, to emotion, and to scapegoatism; the articulation of the idea of some, that paradise is a place where we can forget about due process, and fairness, and civilized justice, where we can ignore the guidance of the institution which our founding fathers chose to interpret the demands of the constitution, and where we can go back to the rough and rapid justice of the inquisition, of the star chamber, and of the frontier.

In title III we find a proposal aimed at dealing with the problem of organized crime, a proposal which in some limited form and under strict controls is probably worth testing out for a period of a few years, so that we can determine whether it is workable, productive, and consistent with our heritage of individual liberty. Nevertheless it comes to us needing much more refinement and con-

sideration, and unless these are accomplished, its ripeness for passage may be placed in doubt.

Finally, in title IV, we have a truncated version of a measure which should have been passed long ago if we were to take seriously our own dedication to reducing crime. The unfettered flow of firearms in this country is a national disgrace and a source of world tragedy. There is absolutely no good reason why juveniles, criminals, addicts, and mental incompetents should have unrestricted access to either handguns or long-guns. And since this access can, through a combination of local and Federal effort, be restricted without significantly affecting the sports and hobbies of Americans who use guns legitimately, we have no excuse for further delay. Yet title IV takes up only the handgun problem, and if it is not reinforced by this body, it will be largely a token effort, since those affected by it will be able to continue their activities using rifles and shotguns, either in their natural state or suitably altered.

Thus, Mr. President we are faced with a bill whose main title is threatened with being distorted beyond recognition, whose second title is an insult to the traditions and intelligence of the American people, whose third title needs careful work before meriting passage, and whose fourth title is almost useless unless it is strengthened.

Mr. President, certainly unless the necessary work is done on the Senate floor, we will be very close to having a bill which risks being vetoed. I want to remind the Members of the Senate that President Johnson has had occasion in the past to veto a crime bill, and for many of the same reasons. In my opinion his veto of the old District of Columbia crime bill was one of the most courageous and historic acts of this administration, and since he is now relieved of some of the pressures which he was under then, we can expect him to do no less if the demands of conscience so require. Let this be our guiding thought as we consider the safe streets bill; let us remember as we choose between reason and emotion, between responsibility and shortcuts, between leadership and passivity, that if we make the wrong choices, we may well, and deservedly, be second-guessed. It is my own hope that we will produce a bill we can be proud of, a bill every part of which deserves signature and support, a bill that really can start us on the path to safer streets and more tranquil communities. Our constituents deserve this from us and we cannot fail them.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. KENNEDY of Massachusetts. I yield.

Mr. ERVIN. I ask how the Senator can assert that title II of the bill is an insult to the traditions of the American people when the matters that title II are directed against are the Escobedo case, the Miranda case, the Wade case, the Gilbert case and the Stovall cases? And those cases are opposed to the tradition that the American people followed from the 15th day of June in 1790, when the Constitution was written, down to the time of the Escobedo case 174 years later, the Miranda case 176 years later, and the

Wade, Gilbert, and Stovall cases, which were not handed down until 177 years later.

It would seem to me that those cases are totally incompatible with the traditions of the American people because as the majority opinion said in the Stovall case that nobody had any warning that the rule of the Wade case would be handed down in that case.

Mr. KENNEDY of Massachusetts. Mr. President, I respond to the question of the Senator from North Carolina with another question. Is it not true that the Escobedo, Miranda, and the other cases cited by the Senator were decided by the Supreme Court and that they redefined and breathed new life into the Constitution of the United States?

The point suggested in my argument is that the purpose and thrust of the argument of the distinguished Senator from North Carolina was that he would throw away and discard the Supreme Court decisions so that we would return to an earlier period of interpretation, an interpretation that I believe is more primitive.

Mr. ERVIN. Mr. President, the Constitution does not authorize such interpretations and five of the nine Justices of the Supreme Court have no power to change the meaning of the Constitution.

I would rather state my position than have it stated by the Senator from Massachusetts. I am standing by the Constitution—not by judicial usurpation.

Mr. KENNEDY of Massachusetts. The Senator from North Carolina has correctly stated that the examples which were cited in my remarks represent the interpretation of a majority of the Supreme Court and also the interpretation rendered by other members of the Court in their dicta and their comments and reading of the case.

I do feel they are completely justifiable and sound. I think it is appropriate for us to realize at this time that the position assumed by the distinguished Senator from North Carolina would effectively abdicate a meaningful and responsible interpretation of the Constitution.

THE M-16 RIFLE

Mr. McGOVERN. Mr. President, I announced last Friday that I intended to address the Senate today relative to the Army rifle procurement program.

I am deeply concerned about the contracts that have been awarded recently for the acquisition of some 480,000 M-16 rifles. In the context of other questionable decisions that have been made in this area over the past decade, they indicate to me that something is drastically wrong in the Pentagon's procurement policies.

Since my remarks of May 3d on this subject both the Senate Preparedness Investigating Subcommittee and the House Special Subcommittee on the M-16 have announced plans to reopen their studies of the M-16. I am encouraged by those decisions, and I certainly do not intend to second-guess the probing that will be done by the highly capable chairmen and members of the subcommittees. Nevertheless I do think it is appropriate at this point to review what we know

now and to raise some of the more pertinent questions.

HISTORY OF IRREGULARITIES

Irregularities in rifle procurement go back more than 10 years, prior to the decision, in May of 1957, that the M-14 was the desirable replacement for the M-1 rifle of World War II and Korea.

There were, of course, extensive tests of the M-14 before that policy was established. It was evaluated with extreme care and in competition with other possible small arms, including the AR-15, which became the M-16 of today.

After placing top priority on procuring and issuing the M-14, the Army began placing large quantities under contract. By 1962 and 1963 the plans called for the purchase of 300,000 units annually through fiscal 1966.

In September of 1962, however, a report prepared by the Comptroller of the Defense Department prompted reevaluations leading to an abrupt reversal of those plans. The Comptroller told the Secretary of Defense that the M-14 was in nearly every respect inferior to the AR-15 which it had defeated in competitive testing just a few years before. The report said that the AR-15 was at least five times as effective as the weapon found earlier to be wholly superior.

But beyond this, the Comptroller also said that "the M-14 appears somewhat inferior to the M-1 rifle of World War II," the weapon it was designed to replace.

In response to this report, the Secretary of Defense directed the Army to conduct a new series of tests, which included the M-14, the AR-15, and the Soviet AK-47. The Army concluded in January of 1963 that its earlier decision had been correct and that the M-14 was the best weapon. The Army also requested that another 123,000 be purchased in fiscal 1964.

The Comptroller's report and the Army report were examined throughout 1963. Then, late in the year, the drastic shift in policy came with a decision to completely discontinue purchases of M-14's at the completion of current contracts.

In a period of only 2 years, therefore, we had moved from an all-out, top priority procurement on the M-14 to a cancellation of the entire M-14 program. Significantly, the investment in this weapon by the time it was discontinued was about \$500 million.

There were, however, still some doubts about the value of the AR-15, or M-16 as we know it now. The Army's competitive tests conducted in 1962 concluded:

The AR-15, although lighter than the M-14, is not considered suitable as a replacement weapon because: it is less reliable, it has poor pointing and night firing characteristics, its penetration is marginally satisfactory, and its adoption would violate the NATO standardization agreements.

This evaluation has, of course, been at least partially verified by the sensitivity to small amounts of dirt and other foreign matter that subsequently developed during use of the M-16 in Vietnam.

During this same period a third alternative weapon was under consideration; the SPIW or special purpose individual weapon developed by the

Aircraft Armaments, Inc., of Cockeysville, Md.

The SPIW operates on a unique principle. It fires a small dart not much bigger than a pin at extremely high velocity, and has tremendous penetrating power. I understand that it can fire on automatic at a rate of 1,200 rounds per minute, and the small caliber of the round means that large numbers can be carried easily, making it especially suitable for combat. It is apparently a radical improvement in small arms.

Because of the enthusiasm that existed for the SPIW, and presumably because of the Army's dissatisfaction with the M-16, we did not move ahead with large scale procurements of the M-16 at that time. New purchases of the M-14 ceased, and we made a one-time-only purchase of 104,000 M-16s from Colt's Patent Fire Arms Manufacturing Co. The plan was to use a combination of existing M-1's and M-14's and the 104,000 M-16's until the SPIW could be brought into production in quantity. Projections made at that time called for pilot production of the SPIW by 1966 and mass production of 300,000 annually by 1969.

It seems to me that this is particularly important. The M-16 was not conceived at that time as the best weapon available. It was acquired on an interim basis, to fill existing needs, while development of the SPIW was being completed.

This policy was set primarily as a result of the exhaustive Small Arms Weapons Study, which lasted more than 18 months and involved the firing of hundreds of thousands of rounds of ammunition. According to Maj. Gen. H. A. Miley, Jr., Director of Material Acquisition for the Office of the Deputy Chief of Staff for Logistics, testifying before the House special subcommittee last year:

The SAWS study concluded positively that a SPIW system or version of it was certainly the most hopeful weapon of the future for the Army.

We have subsequently been told that the SPIW development was not as rapid as had been expected—although I will return to that subject at a later point in my remarks—so the Army began expanding its acquisitions of the M-16 from Colt, relying upon it as the replacement weapon.

DEVELOPMENT OF A SECOND SOURCE

As I pointed out in my statement on May 3, Colt industries has been the sole source of supply for the M-16, and this will continue to be true until the new sources have been developed.

The AR-15 was originally developed in 1957 and 1958 by ArmaLite Co. of Costa Mesa, Calif., and credit for the basic design concepts goes to Eugene Stoner, who was chief engineer for ArmaLite at that time. ArmaLite was then a division of Fairchild Aircraft.

Colt acquired the rights to the AR-15 or M-16 from Fairchild in 1959 at a price of \$325,000, plus a promise of royalties. The Pentagon purchased the right to develop a secondary source and an agreement by Colt not to sell the weapon in overseas markets in June of last year for \$4.5 million.

It is highly significant that Colt had

previously made several other offers to relinquish proprietary rights. The most favorable, in 1964, called for a \$5.4 million payment, less a \$10 credit for each M-16 produced by the secondary source.

Had that offer been accepted the outlay for proprietary rights would have been reduced to only \$600,000 as a result of the 480,000 unit contracts recently announced alone. Instead we paid \$4.5 million.

The Preparedness Subcommittee last year made some thoughtful inquiries into the reasons for acquiring these proprietary rights in the first place, and the answers given by Defense Department officials appeared to be reasonable at that time.

Colt reached its maximum production capacity in December of 1966. It was then and presumably still is capable of producing at a rate of approximately 300,000 per year. The contracts just awarded to General Motors and Harrington & Richardson will bring total production of 120,000 the first year and 360,000 the second.

When questioned last year by the subcommittee, Dr. Robert A. Brooks, Assistant Secretary of the Army for Installations and Logistics, agreed that "we could obtain the rifle through a straight expansion of Colt's somewhat sooner than by the establishment of a second source," and that factor should obviously have been given great weight because of the need to move quickly to meet our requirements in Vietnam.

But Dr. Brooks indicated that it was counterbalanced in the Defense Department's judgment by the need for security of the supply source and the probability of savings. He said:

We also anticipate there will be a saving, of course, from the competitive procurement as established.

On further inquiry, he added:

The area where we expect savings is in the pressure, frankly, of competition for the rifle.

It need hardly be noted, of course, that those expectations have now proved to be nothing short of fantasy. By no stretch of the imagination can the \$230 per rifle average costs of the 240,000 M-16's to be purchased from General Motors, or the \$175 per unit price of those to be acquired from Harrington & Richardson, be construed as exerting competitive pressure on Colt's \$104 per unit price. Clearly any competitive pressure would run the other way—yet Colt's ability to produce the M-16 for \$104 has had little apparent bearing on the thinking of the Pentagon.

Mr. President, I am convinced, based on the information I have seen, that it was a serious error to buy the proprietary rights for the M-16 under the kind of agreement that was concluded last June.

Moreover, it appears that once the error was made, the Pentagon decided that it had to compound it by actually developing the secondary source using some form of inverted reasoning to conclude that a failure to make use of the proprietary rights would have amounted to a waste of \$4.5 million. Otherwise it seems to me that we would have written off that amount and sought whatever expansion was necessary in Colt's productive capacity.

THE MAREMONT BID

The tale that has unfolded since the General Motors and Harrington & Richardson contracts were announced is equally distressing.

As I pointed out on May 3, the total figures on the GM and H. & R. contracts are \$55 million and \$42 million respectively. Four firms were determined to be technically capable of producing the M-16 and among them was the ordnance division of Maremont Corp. of Saco, Maine. Yet its bid of \$36 million was rejected. When Maremont made the presentation of its bid I understand that there were no inquiries from Pentagon officials into any phase of the proposal. Any questions that existed as to the capability of the company to produce satisfactorily were left unspoken.

Subsequently, the Pentagon has said that such factors as the number of college graduates in Maremont's work force and the age of their existing equipment influenced the decision to reject their bid.

I suppose there is some perceptible relationship between the educational attainment of a company's employees and its productive abilities. I cannot see, however, how it could conceivably make a difference of some \$19 million in the price we are willing to pay for 240,000 rifles.

The age of Maremont's existing equipment is even less relevant, since 100 percent of the facilities for producing the M-16 are to be supplied by the Defense Department.

Maremont was also told that the Army has "more confidence" in General Motors and Harrington & Richardson. Yet Maremont has produced more than 100,000 M-60 machineguns for the Defense Department, as sole supplier of that weapon. Certainly its reliability has been well established.

We all have great confidence in the technical competence of General Motors, and I have no doubt that it will be able to produce excellent M-16s—even though it has never produced rifles.

Originally General Motors was to be the only new source developed, until Harrington & Richardson was added after the initial decision had been questioned by the other bidders. While I have no complete documentation I have also been told by various sources that Harrington & Richardson had substantial difficulty in meeting the standards when it was producing the M-14. In any case, the Pentagon's reliance on the "confidence" argument seems to be questionable indeed.

In defense of these awards the Army has noted that the price terms are subject to renegotiation downward if costs prove less than anticipated. It is my understanding that this information is not complete, however, because the contracts are target incentives with a ceiling. If costs are less than provided the companies will receive a part of the savings, and this is their incentive to hold expenses down during actual production. The temptation on the part of the company to overstate costs in the initial contract is obvious, because if they do so their profits will be increased later. Consequently, there is a special need for the Government's representatives to assure

that the initial cost estimates are accurate. But in any case it is important to note that this aspect of the contracts is entirely irrelevant when we are comparing the bids of General Motors and Harrington & Richardson with that of Maremont. This is true because precisely the same renegotiation provisions would have been included in the contract had Maremont's bid been accepted.

There are still additional troubling aspects of the Pentagon's arrangements with these two companies. In light of the fact that one of the major purposes of the awards is to move quickly to meet the rising requirements of the Vietnam war, for example, I was surprised and shocked to learn that the Army Weapons Command notified the bidding companies on March 29 that penalty provisions for late deliveries were being dropped. What will come next is anybody's guess.

ALTERNATIVE WEAPONS

Mr. President, in its report of May 31 of last year the Preparedness Investigating Subcommittee said that it had "deliberately avoided any effort to assess the relative merits of the rifles which have been discussed in this report, since the selection of specific weapons between competing models is largely a military question."

I have no quarrel at all with that judgment under the circumstances as they appeared to exist at that time. I recognize that debate on the relative merits of individual weapons can be interminable, and that those who are dealing with the situation on a day-to-day basis should be expected to have the expertise needed to make proper evaluations.

It is clear today, however, that a very different combination of circumstances exists, and I believe that it warrants examination of some of the alternatives that are or are likely to become available. I am hopeful that the subcommittees will go into this question.

The company that originally developed the M-16, for example, has come up with a new weapon of the same caliber, the AR-18, which I am told is largely immune from the problems of jamming that have caused so many complaints on the M-16.

ArmaLite's AR-18 was included in the SAWS tests, and a number of defects were discovered. I have been advised that some of these were related to the fact that a production-type model was not available for testing, and that the others have been completely eliminated through subsequent refinements.

ArmaLite has encountered numerous problems in finding a manufacturer willing to turn out the AR-18 on a speculative basis, that is, not related to a specific large order. They have completed arrangements on this basis now, however, with the Bauer Ordnance Co. of Detroit, and an initial delivery will be made in November of this year.

The improved version of the AR-18 has not, of course, been tested comprehensively by the Pentagon, although the Air Force has indicated an interest. Tests comparable to those we would use have been conducted in Brazil, and the weapon performed very impressively.

Were we merely continuing interim procurement of the M-16 from Colt there

would probably be little compulsion to reevaluate arms such as the AR-18. It seems logical to me, however, to expect that we would make every effort to explore alternatives before embarking on a costly new procurement program, especially in light of the fact that the M-16 has not been entirely satisfactory.

The reasons for following this course become especially persuasive when the potential costs are compared. I have been advised that the AR-18 could be produced at a maximum rate of \$115 apiece, and that the figure would drop significantly on a mass production basis.

The same considerations, and some additional ones, apply with respect to the special purpose individual weapon, the SPIW. This weapon was exhaustively tested in the SAWS evaluation and receiving glowing recommendations. Throughout the period of vacillation between the M-14 and the M-16 and up to the final SAWS report it was regarded as the ultimate replacement weapon. In the lower echelons of the Army the enthusiasm has apparently not diminished.

It is for that very reason that I find the Pentagon's decisions in this area to be highly mysterious.

Mr. President, in the hearings conducted by the Preparedness Investigating Subcommittee and the House Special Subcommittee on the M-16 last year, Defense and military officials maintained that the SPIW was under active research and development scrutiny, to work out the engineering problems that were contemplated with respect to mass production.

At that time it had been 3 years, and now it has been 4 years, since the initial decision was made that the SPIW was to be pursued. It might be possible to conclude from this that the engineering problems are simply insurmountable and that the SPIW as presently designed cannot be mass produced.

I have been advised, however, that contrary to the impression given by those testifying before congressional committees, the Pentagon has not been encouraging the AAI Co. to seek improvements in the SPIW and has not been devoting any significant amount of resources to that effort. I am told that the company has received no funds for development for at least 2 years.

It has, however, devoted substantial resources of its own to perfecting modifications with very promising results.

Once again the cost comparisons are relevant. The estimate I have received is that the SPIW could be mass produced for as little as \$75 per unit—and that is for a huge improvement over any of the weapons presently available to our fighting men.

If this information is accurate, and I have seen nothing yet that causes me to doubt it, then increased importance should be attached to some of the revelations that occurred during last year's hearings.

It was disclosed then, for example, that Maj. Gen. Nelson M. Lynde, now retired, was commander of the Army Weapons Command from 1962 through February 1964, and that shortly after his retirement he went to work as executive consultant to Colt Industries.

General Lynde testified that on October 31, 1963, he published the order permitting the award of the one-time contract for 104,000 M-16's to Colt Industries.

It is, of course, also important to point out that General Lynde inquired about the legality of his employment with Colt under the conflict of interests statutes and received a reply to the effect that acceptance of the position would not be a violation.

But the period of his term as head of the Army Weapons Command was obviously a crucial 2 years with respect to subsequent policies affecting both the SPIW and the M-16. In view of the subsequent practical deemphasis on the SPIW, and the resulting expansion of business for Colt, I think we ought to know more about the possibility of a relationship between the policies General Lynde helped establish and the position he later assumed in the employ of Colt Industries.

Mr. President, I want to emphasize that I am not charging General Lynde with wrongdoing. I am, however, saying that the circumstances I have outlined give cause for a detailed examination of his position, along with the other troublesome aspects of the Army's rifle procurement program that I have been discussing.

As I mentioned at the beginning of my remarks, I am greatly encouraged by the fact that the two subcommittees of the Congress having special expertise in this area are both undertaking new investigations of the rifle procurement program, with particular reference to the contract awards to General Motors and Harrington & Richardson.

I consider these questions to be profoundly serious, not only because they suggest waste of the Nation's financial resources, but also because they have a direct bearing on the combat and defense capabilities of the young men we have committed to battle in Vietnam.

I have sharply differed with the policies that have involved American forces in that tragic conflict. But I regard our responsibility to supply them with the best possible equipment and support as a most urgent and demanding duty, to say nothing of the economic considerations involved.

If preference for a particular weapon's supplier or a desire to cover past mistakes has interfered with that obligation, then we are faced with an intolerable state of affairs in the military procurement program.

I might say, parenthetically, that what disturbs me about the investigation—it has been an unlimited investigation—that I have made of this rifle procurement program is that I see evidence of the same kind of questionable pattern in other procurement policies involving other weapons systems within the Pentagon.

Mr. President, I believe that the Pentagon has an obligation to supply sound reasons—which have not been forthcoming—rather than excuses, for the policies that have been followed and the errors that have been made in rifle procurement. They owe those explanations

to the American taxpayer, to our combat soldiers, and to Congress. I hope they will approach the hearings tomorrow and the Preparedness Investigating Subcommittee study in that spirit.

OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1967

The Senate resumed the consideration of the bill (S. 917) to assist State and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government, and for other purposes.

Mr. ERVIN. Mr. President, Daniel Webster said, in prosecuting the case against the person charged with the murder of Captain White, "Every unpunished murder takes away something from the security of every man's life."

I regret that my friend the distinguished senior Senator from Massachusetts did not remain in the Chamber, because I should like to point out that under article V of the Constitution, no power on earth exists in any public official or any group of public officials, other than Congress and the States, acting concurrently, to change the meaning of any word in the Constitution.

The words involved in the Wade, Gilbert, and Stovall cases have been in the Constitution of the United States since the 15th day of June 1790; and they meant one thing from that time until the 12th of June 1967—a period of 177 years. That period of 177 years shows what the traditions of the United States were. And then five justices of the Supreme Court of the United States undertook to change the meaning of those words, despite the fact that they had no authority to do so. They undertook to limit the legal competency of an eyewitness to testify he say the accused commit the crime with which he is charged.

It had always been the practice during the 177 years to allow an eyewitness to look at a suspect in custody, to ascertain whether or not the suspect was the man whom the eyewitness has seen commit the crime. If the eyewitness said, "No," the suspect was released from custody; and then the officers of the law undertook to find new clues leading to the perpetrator of the crime.

This was a pretrial exhibition of the accused, in the custody of the officers, to the eyewitness. Both the suspect, if he was innocent, and society were served by this course, because the suspect was freed, and then the law enforcement officers could look for the guilty party.

Every decision of the Supreme Court from June 15, 1790, down to June 12, 1967, sanctioned this commonsense practice. They held that the right-of-counsel guaranty of the Sixth Amendment did not come into operation until a suspect in custody was formally charged by criminal complaint, information, indictment, or the like with some criminal offense.

On June 15, 1967, by a margin of one vote, the Supreme Court of the

United States held in the Wade, Gilbert, and Stovall cases that it is now unconstitutional under the right-of-counsel clause for an eyewitness to a crime to look at an accused in custody for the purpose of either identifying or exonerating him as the perpetrator of the crime he saw committed unless the suspect has a lawyer even though no formal charge has been made against him.

To show how ridiculous that decision is, in many cities they have what is called a lineup of many persons in custody. There may be 15, 20, or 25 persons, and there may be a multitude of eyewitnesses there to identify these parties. So now they cannot have eyewitnesses looking at a suspect in custody at a police lineup unless there is a meeting of the bar association along with them because each member of the lineup is entitled to a lawyer. The inspection of the suspect is not at the convenience of the suspect, or at the convenience of the law-enforcement officers, or at the convenience of the witnesses; it will have to be done at the convenience of the lawyers.

Under this rule, invented by the Supreme Court for the first time on the 12th of June 1967, if an eyewitness has had a pretrial look at a suspect in custody in the absence of the lawyer, he cannot be permitted to testify before the jury in open court, "I saw the accused commit this crime with my own eyes and I base my identification solely upon what I saw at the time the crime was committed," unless the trial judge, be he a Federal judge or a State judge, stops the trial, converts himself into a psychologist, and injects himself somehow into the innermost recesses of the mind of the eyewitness. Before the trial judge can permit the jury to hear the positive testimony of the eyewitnesses that, "I saw the accused commit the crime and I base my identification solely upon what I saw at the time the crime was committed," he must first find, in the absence of the jury, as a result of his penetration as a psychologist into the mind of the witness, and by clear and convincing evidence, that the look which the witness had of the suspect on the pretrial occasion did not influence in any way his conviction that he saw the accused commit the crime.

Mr. President, that is an impractical test. No judge can look into a witness' mind and say that the pretrial view did not influence him in his conviction, where he had a view of the perpetrator of the crime at the time the crime was committed, then had a view of the suspect on a pretrial occasion, and then a look at the suspect at the trial.

Mr. President, I have been reading law for a long time. I have read the words in the sixth amendment on which those decisions are based. They say in all criminal prosecutions the accused shall enjoy the right to have the assistance of counsel for his defense.

I started reading law when I was a teenager and I have been reading law ever since. I have undoubtedly read those words "In all criminal prosecutions the

accused shall enjoy the right to have the assistance of counsel for his defense" a number of times. But it is an impossibility for me and it is an impossibility for any judge, to say which one of those times when I perused those words I learned them.

Yet, this newly invented rule declares the jury cannot hear an eyewitness testify who is willing to state, "I saw the accused commit the crime, and I base my identification upon what I saw at the time he committed it," unless the judge can find by clear and convincing evidence that the witness is not influenced in any way by his pretrial observation of the suspect or the accused.

Nobody knows exactly when he receives a certain mental impression or a certain mental conviction. It is well said that you cannot unscramble a hen's egg after it has been scrambled; and you cannot unscramble a person's mental impression or mental conviction in such a fashion as to determine in a clear and convincing way that one of several somewhat similar events had no influence whatsoever on it. Yet under this 5-to-4 decision of the Supreme Court the judge has to be able to do that and to do that by evidence which is clear and convincing before he can allow a jury trying a case to hear an eyewitness who had a pretrial observation of the suspect in custody, in the absence of his lawyer testify he identifies the suspect as the perpetrator of the crime.

If he has his memory refreshed, or his memory reinforced, or his memory confirmed by the pretrial observation, then, under this rule the witness will not be permitted to give that evidence to the jury.

We used to have a principle in this country that issues of fact were to be tried by juries and not by judges. When the accused attempted to get the U.S. Court of Appeals for the Second Circuit to adopt this kind of rule, that court said that rules of evidence and rules for the administration of justice should be based on commonsense.

Mr. President, Washington, D.C., has become one of the most crime-ridden cities in the Nation. Every day or so we pick up the newspaper and read that someone has been murdered, usually by those who want to steal property.

All too frequently we pick up the morning newspaper, as I picked up my copy of the Washington Post this morning, to read such news items as these:

Intruder in Apartment Rapes Northeast Woman.

Girl, 14, Is Raped in Cardozo Area.
Woman Is Robbed and Raped in Northeast.

These crimes were all committed during the 24 hours before this morning's Washington Post went to press.

I ask unanimous consent to have the articles printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

INTRUDER IN APARTMENT RAPES NORTHEAST WOMAN

A 20-year-old far Northeast woman was raped at about 4:10 a.m. yesterday morning by a gunman who broke into her apartment through a window, police said.

The woman told police that she was awak-

ened by someone breaking in and saw a man who showed her a .38 revolver and told her "Keep your mouth shut and you and the kids won't get hurt." Her two children were asleep in another room.

The man raped her and left, after telling her that he and another man, whom she never saw, had just committed a robbery and wanted to stay in the apartment for a time to elude police.

GIRL, 14, IS RAPED IN CARDOZO AREA

A 14-year old Cardozo area girl told police she was raped Saturday night in a neighborhood basement where she had gone with a girl friend and some youths after visiting a nearby United Planning Organization Youth Center.

Police said the youths grabbed both girls, once they entered the basement but one escaped. The 14-year old was later treated for laceration of the right eye at D.C. General Hospital.

WOMAN IS ROBBED AND RAPED IN NORTHEAST

A 42-year old woman was raped and robbed at gunpoint about 11 p.m. Saturday night in the 700 block of Division Avenue, ne., police said.

They said she was looking for her 17-year-old son when a man pointed a gun at her took \$14 dollars then forced her into a vacant lot, where he raped her. She was treated at D.C. General Hospital for a cut knee and released.

Mr. ERVIN. Mr. President, we have a ruling handed down in the Miranda case that self-confessed murders and rapists must be freed unless the police officer tells them something they already know; and a rule handed down in the Wade case that an eyewitness to a crime may not look at a suspect in custody for the purpose of identifying or exonerating him as the perpetrator of a crime unless that suspect has a lawyer present.

These are new rules. They did not exist until five of nine members of the Supreme Court invented them out of their imaginations. They are contrary to the words of the Constitution.

The only body on earth which has the power, in and of itself to do something about this situation, is the Congress of the United States. It has the power to do that by adopting title II of the pending bill which limits the jurisdiction of the Supreme Court to hand down rules resulting in self-confessed murderers, rapists, arsonists, burglars, robbers, and thieves being turned loose.

I would say, Mr. President, that any Member of the Senate who thinks that self-confessed murderers, rapists, arsonists, burglars, robbers, or thieves should go unwhipped of justice should vote to eliminate title II from the bill.

But if any Senator believes, as I do that enough has been done for those who murder, rape, and rob, and that the time has come for Congress to exercise its power under the third article of the Constitution of the United States and do something for those who do not wish to be murdered, raped, or robbed, he should vote against any proposal that would eliminate title II from the bill.

Mr. President, I yield the floor.

DISTRICT OF COLUMBIA TEACHERS' SALARY ACT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the

Senate proceed to the consideration of Calendar No. 1099, H.R. 16409.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 16409), to amend the District of Columbia Teachers' Salary Act of 1955 to provide salary increases for teachers and school officers in the District of Columbia public schools, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported by the Committee on the District of Columbia, with amendments, on page 2, in the table following line 2, strike out:

Class 1.....\$28,000

And, in lieu thereof, insert:

Class 1.....\$29,000

On page 3, in the table following line 2, strike out:

Class 2.....24,000

And, in lieu thereof, insert:

Class 2.....25,000

On page 4, in the table following line 2, strike out:

Class 1.....\$28,000

And, in lieu thereof, insert:

Class 1.....\$30,000

In the same table, strike out:

Class 2.....24,000

And, in lieu thereof, insert:

Class 2.....26,000

And on page 11, line 4, after the word "or" strike out "1 teacher" and insert "3 teachers".

Mr. BYRD of West Virginia. Mr. President, I ask that the amendments be considered and agreed to en bloc.

The amendments were considered and agreed to en bloc.

The PRESIDING OFFICER. If there be no further amendments to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The bill (H.R. 16409) was ordered to a third reading, was read the third time, and passed.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1115), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSES OF THE BILL

The principal purposes of H.R. 16409 are as follows:

1. Increase the salaries of the teachers and other professional employees of the District of Columbia Board of Education in two stages, the first stage retroactive to October 1, 1967, and the second to take effect on July 1, 1968.

2. Liberalize the present law with respect to step placement credit allowed for prior experience in the case of employees hired from outside the District of Columbia public school system.

3. Liberalize the present law in the matter of probationary tenure credit.

4. Provide the District of Columbia Board of Education authority to correct administrative errors or delays in crediting educational attainment for teachers and school officers.

5. Change the method of payment of teachers in the summer school and adult education programs from a "per diem" to a "per period" system, to permit teachers in these programs to work longer hours when necessary.

6. Restrict the number of teachers in any school in the District of Columbia who may take general leave with pay on any given day, except for religious purposes, to 5 percent of the number of such teachers, or three teachers, whichever is greater.

I. SALARY INCREASES

Paragraph (1) of Section 2 of the bill provides an overall increase of approximately 8.3 percent in the salaries of all professional personnel in the District of Columbia public school system, effective retroactively to October 1, 1967. This proposed salary schedule will provide a minimum salary of \$6,400 for teachers with the bachelor's degree, and a maximum of \$10,800, attainable in 19 years of service. The salaries of the Superintendent and Deputy Superintendent of schools are increased to \$29,000 and \$25,000, respectively. The present starting salary for such teachers is \$5,840, and their maximum is \$10,185. The present salaries of the Superintendent and Deputy Superintendent are \$26,000 and \$22,000, respectively.

Paragraph (2) of this section provides a second salary increase averaging some 10.9 percent, for professional employees of the District of Columbia Board of Education to become effective on July 1, 1968. This salary schedule will provide a starting salary of \$7,000 for teachers with the bachelor's degree, and a maximum of \$12,040. The salaries of the Deputy Superintendent are increased to \$30,000 and \$26,000, respectively, also effective July 1, 1968.

NEED FOR LEGISLATION

Under Public Law 90-206, approved December 16, 1967, all classified civil service employees in the Federal and District of Columbia governments received salary increases retroactive to October 1, 1967 and will receive further increases on July 1, 1968, and July 1, 1969. That legislation did not include the teachers and school officers of the District of Columbia. Thus, aside from the other compelling factors in favor of new teacher salary schedules, equity alone dictates that the more than 8,000 professional employees in the District's school system should have their salaries increased retroactive to October 1, 1967. Separate legislation (H.R. 15131), previously reported by the committee and passed by the Senate, properly provides such retroactive salary increases for the District's policemen and firemen. We can do no less for our teachers and school officials whose work with our children is so vital to their welfare and the welfare of the Nation's Capital.

The recently completed Columbia University study of the District of Columbia public school system was one of the most comprehensive in-depth studies of a school system ever performed in the United States. The report and recommendations have yet to be fully evaluated, but one thing is patently clear. It underscores the concern expressed by this committee in its past reports on teacher pay legislation respecting the great difficulty the District of Columbia Board of Education experiences in recruiting and retaining well-qualified teaching personnel. According to the study, education in the District is in "deepening and probably worsening trouble," due, in large part, to personnel problems. The magnitude of the problem is demonstrated by the very high rate of teacher turnover in the District, and the presence in the school system of an excessive number

of temporary teachers, who for various reasons do not meet the standards established by the Board of Education for career teaching positions.

The committee is informed that during the last fiscal year 1,172 teachers left the system, the largest turnover in 40 years. Approximately 40 percent resigned, and 30 percent did not renew their teaching contracts. School officials are in strong agreement that most of the teachers who resigned and many whose employment ended would go on to school positions on other jurisdictions offering greater financial rewards and more favorable working conditions.

Further, numbers or percentages of resignations do not adequately reflect the heavy drain-off of teaching strength. The committee is advised that too often it is the best teacher who resigns. There is a national teacher shortage, and competing school systems endeavor to attract the most experienced personnel. The Columbia University study found some excellent leadership teachers in the Washington system, but concluded that the District does not have its fair share of such people. The essential task ahead is twofold: to reverse the present trend by encouraging experienced leadership teachers to remain in the system, and to attract new leadership teachers to Washington. To do this, the Board of Education must be in a position to offer attractive entrance and career salaries.

The large number of temporary teachers in the school system is another measure of the difficulty the District faces in recruiting qualified teachers. As demands have become greater, the school system has had to rely increasingly on teachers with temporary certificates. The committee is informed that the percent of permanent teachers has dropped from 71.7 percent in 1956-57 to a low of 42.5 percent in 1966-67. The number of teachers appointed under temporary certificates rose from 16 percent in 1955 to 48 percent in fiscal year 1966. Ninety-five percent of the teachers new to the system in 1965-66 were certified as temporary employees. The total in this category declined to approximately 30 percent during the past year, but only after teacher certification standards were eased in order to fill vacancies and expedite the hiring of interested but not fully qualified teachers.

School records indicate there has been a decline in the number of teachers having master's degrees or better during the last few years. In 1963 this figure was 36 percent; in 1967 it was 25 percent. The master's degree has always been regarded as an index of quality among teachers and a good index of a serious intent to make teaching a career. The drop in the percent of teachers possessing the master's degree, the high turnover rate, and the low percent of permanent teachers, all paint a picture of a deteriorating staff.

Recruiting efforts

The District of Columbia Board of Education has exerted increasingly vigorous efforts in order to reverse these trends. College recruiting efforts tripled between 1963 and 1967, and the personnel department has actively recruited in the Nation's largest cities. Advertisements have been placed in educational circulars and journals receiving national distribution as well as in the local news media. The schools' personnel office is open on Saturdays as well as weekdays to help the recruiting program.

The committee is also advised that, in accordance with the suggestions resulting from the Columbia University study, the school system has further improved its recruiting procedures, strengthened its model school division and special intern programs, and has cooperated with outside colleges and universities in an effort to attract, train, and retain energetic, capable and dedicated young teachers.

Yet, despite these efforts the school system has positions it is not able to fill. For example, on January 31, 1968, there were 260 vacancies in regular budget positions and 327 vacancies considering positions from all funding sources.

The District school system has not been able to keep pace with the demand for teachers both in terms of numbers and quality, and there is little hope that this situation can be corrected unless the District is placed in a competitive salary position.

Comparison with nearby communities

The following table compares the schedule salaries for classroom teachers in the Washington, D.C., metropolitan area during the current 1967-68 school year by preparation level, exclusive of long-service increments:

Preparation level	District of Columbia	Maryland			Virginia		
		Montgomery County	Prince Georges County	Alexandria	Arlington County	Fairfax County	Falls Church
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Bachelor's degree:							
Minimum.....	\$5,840	\$5,880	\$5,880	\$6,000	\$5,740	\$5,900	\$5,622
Maximum.....	\$8,975	\$10,466	\$10,150	\$10,000	\$10,470	\$9,735	\$8,169
Number of increments.....	12	13	13	14	14	12	9
Average amount of increments.....	\$261	\$353	\$328	\$286	\$338	\$320	\$281
Master's degree:							
Minimum.....	\$6,385	\$6,586	\$6,670	\$6,600	\$6,340	\$6,785	\$6,192
Maximum.....	\$9,520	\$11,936	\$11,600	\$10,600	\$11,080	\$11,800	\$9,907
Number of increments.....	12	13	13	14	14	16	12
Average amount of increments.....	\$261	\$412	\$379	\$286	\$338	\$313	\$310
6 years of preparation:							
Minimum.....	\$6,605	\$7,056	\$7,076	-----	\$6,750	\$7,375	\$6,754
Maximum.....	\$9,740	\$12,407	\$12,006	-----	\$11,480	\$12,250	\$10,807
Number of increments.....	12	13	13	-----	14	17	12
Average amount of increments.....	\$261	\$412	\$379	-----	\$338	\$287	\$338
Doctor's degree or 7 years:							
Minimum.....	\$6,825	\$7,644	\$7,830	\$7,000	\$7,150	\$7,965	-----
Maximum.....	\$9,960	\$13,759	\$12,760	\$11,000	\$11,880	\$12,700	-----
Number of increments.....	12	13	13	14	14	17	-----
Average amount of increments.....	\$261	\$470	\$379	\$286	\$338	\$279	-----

There is no questioning the greater difficulty in attracting competent teachers into central city school systems. Yet, the District of Columbia ranks fifth among area school systems in the salary available to beginning teachers with bachelor and master degrees, and sixth and last in terms of the maximum salaries available to such teachers. Further, all of the suburban jurisdictions pay sub-

stantially more to experienced teachers holding the doctor's degree, and all pay a larger average increment throughout the steps in their salary schedules than does the District.

In your committee's judgment, aside from the problems presented by different working conditions, these disparities alone make it clear that decisive and realistic action on salaries must be taken if the District's present

teacher strength is to be preserved, and if new staff is to be attracted to the school system.

Increasing salary scales

The committee is informed that six of the local school systems in the Washington metropolitan area (Alexandria, Arlington, Fairfax, Falls Church, Montgomery, and Prince Georges) increased their salary sched-

ules for the 1967-68 school year, and that this was the fifth consecutive year that most of the local school systems have raised their teachers' salaries, and this trend is continuing. All are expected to grant further increases effective in the 1968-69 school year. The following table sets forth present salaries in these jurisdictions, and the anticipated increased salaries:

COMPARISON OF LOCAL TEACHERS SALARIES PROPOSED FOR THE 1968-69 SCHOOL YEAR WITH THE 1967-68 SCHOOL YEAR

School system	1967-68		1968-69 (proposed)	
	Minimum	Maximum	Minimum	Maximum
Alexandria:				
BA.....	\$5,000	\$9,060	\$5,300	\$10,395
MA.....	6,600	10,200	7,245	11,340
MA plus 15.....	6,600	10,200	7,875	11,970
MA plus 60 or Ph. D.....	7,000	10,600	8,505	12,474
Arlington:				
BA.....	5,740	10,470	6,200	11,532
MA.....	6,300	11,080	7,130	12,462
MA plus 30.....	6,700	11,400	7,750	13,082
MA plus 60 or Ph. D.....	7,100	11,800	8,370	13,702
Fairfax:				
BA.....	5,900	9,735	6,400	10,560
MA.....	6,785	11,800	7,360	13,440
MA plus 30.....	7,375	12,250	8,000	14,720
Ph. D.....	7,965	12,700	8,640	16,000
Falls Church:				
BA.....	5,629	8,162	6,230	8,722
MA.....	6,192	11,764	6,853	13,021
BA plus 45.....	6,473	12,299	7,165	13,615
BA plus 60.....	6,754	12,833	7,476	14,204
BA plus 75.....			7,788	14,797
Montgomery County:				
BA.....	5,880	10,466	6,340	11,285
MA.....	6,174	11,936	7,101	12,870
MA plus 30.....	6,586	12,407	7,608	13,377
Ph. D.....	7,644	13,759	7,608	13,377
Prince Georges County:				
BA.....	5,880	10,150	6,200	11,036
MA.....	6,670	11,600	7,316	12,524
MA plus 30.....	7,076	12,006	7,812	13,020
MA plus 60.....	7,540	12,470	8,184	13,392
Ph. D.....	7,830	12,760	8,432	13,640

COMPARISON WITH MAJOR CITIES

As shown by the following table, the District of Columbia now ranks 15th among the major cities in the minimum salary paid to teachers with a bachelor's degree:

Comparison of minimum salaries paid to teachers with bachelor's degrees by 21 cities over 500,000 population

Milwaukee.....	\$6,800
Detroit.....	6,650
Los Angeles.....	6,500
San Francisco.....	6,430
Chicago.....	6,400
Cleveland.....	6,250
New York.....	6,200
San Diego.....	6,200
Philadelphia.....	6,100
Boston.....	6,000
Baltimore.....	6,000
Seattle.....	6,000
Cincinnati.....	5,920
Pittsburgh.....	5,900
Washington (present).....	5,840
Buffalo.....	5,800
St. Louis.....	5,800
Dallas.....	5,800
Houston.....	5,616
New Orleans.....	5,400
San Antonio.....	5,350

The District also ranks 15th among such cities in the minimum salary paid to teachers with a master's degree, and eighth in the maximum salaries payable to both bachelor and master's degree teachers.

Increasing salary scales

The median starting salaries in 1967-68 for teachers in large city school systems (generally over 500,000 population) increased more than 8 percent over the previous year. Fifteen of these school systems, or 75 percent, placed increases into effect in 1965-66, and 18 of the same 20, or 90 percent, raised teachers' salaries in 1966-67. The annual salary cycle noted in the local metropolitan areas is also taking place in the city school systems which the District traditionally uses for comparative purposes.

The committee is informed that four of the large city school systems, New York City, Detroit, Chicago, and Milwaukee, have already approved new salary schedules for the 1968-69 school year. For bachelor degree holders, New York will be paying a minimum of \$6,750 and a maximum of \$11,150. Detroit will pay a minimum of \$7,500 and a maximum of \$11,200. Chicago's rates will rise to \$7,350 and \$13,969. Milwaukee's entrance rate will be \$6,800.

Clearly, the District of Columbia is not in a position salarywise to compete with most of these other major cities in the recruitment of teachers. The District's position has de-

teriorated seriously since the last change in its salary schedule in 1966. If the Nation's Capital is to create the model educational system envisioned in President Johnson's message on the "Nation's First City," it must be able to offer attractive compensation. The committee believes the salary schedules proposed in H.R. 16409 are an imperative step.

Phase I increase alone is inadequate

Standing alone, the increased salary schedule provided in paragraph (1) of section 2(1) of H.R. 16409 will do little to overcome the District's teacher recruitment and retention problem. In your committee's judgment, both steps of the recommended two-phase salary increase are required to effectively improve the District's teacher salary position vis-a-vis the suburban jurisdictions of the Washington metropolitan area and its major city competitors.

In addition to the equity involved in granting teachers the same retroactivity given other District of Columbia employees when their salaries were increased during the last session of the Congress, the proposed phase I increase recognizes that this salary legislation comes late in the District of Columbia's current fiscal year, and will have to be financed in the current period.

According to the District of Columbia government, it would cost \$7.8 million above the current fiscal year 1968 budget to fund the phase II increases (\$7,000 entrance rate) from October 1, 1967, through June 30, 1968. The phase I schedule (\$6,400 rate) holds the current fiscal year cost to an additional \$1.3 million.

Consequently, although it favors the higher salary schedule as necessary to place the Board of Education in a competitive position, the District has recommended that increases in the current period be limited to the phase I schedule, and that the phase II rates become effective July 1, 1968. The committee has been advised by the District that the lower cost of the phase I schedule in the current fiscal year can be absorbed through a number of the District's existing reserve accounts subject to reimbursement out of increased revenues anticipated in fiscal year 1969.

The following table compares the competitive position of the teacher salaries provided in H.R. 16409 with the salaries proposed by other Washington metropolitan area school systems for the 1968-69 school year, and with the salary schedules currently in effect in the school systems in 20 major cities of the Nation:

	Phase 1				Phase 2			
	BA	MA	MA plus 30	Doc-torate	BA	MA	MA plus 30	Doc-torate
STEP 1								
Beginning salary.....	\$6,400	\$7,030	\$7,345	\$7,660	\$7,000	\$7,770	\$8,050	\$8,400
Rank, District of Columbia metropolitan area.....	1.5	6	7	7	1	1	1	4
Rank, big city systems.....	4.5	5	6	13	1	1	2	4
STEP 10								
Maximum living level.....	\$8,950	\$9,580	\$9,895	\$10,210	\$9,800	\$10,500	\$10,850	\$11,200
Rank, District of Columbia metropolitan area.....	4	7	7	7	3	6.0	6	6
Rank, big city systems.....	4	3	5	7	2	2.5	4	5
STEP 13								
Highest regular step.....	\$9,700	\$10,330	\$10,645	\$10,960	\$10,850	\$11,550	\$11,900	\$12,250
Rank, District of Columbia metropolitan area.....	5	7	7	7	3	6	7	7
Rank, big city systems.....	10	10	13	13	2	3	3	5
STEP Y								
Maximum possible salary.....	\$10,800	\$11,430	\$11,745	\$12,060	\$12,040	\$12,740	\$13,090	\$13,440
Rank, District of Columbia metropolitan area.....	3	6	7	7	2	4	4	6
Rank, big city systems.....	3	5	4	7	1	1	1	1

Clearly, the phase I salary schedule would provide the District only marginal relief from its present noncompetitive position—a margin that would be short lived. As dem-

onstrated by the comparison of local teacher salaries for the 1968-69 school year set forth above, Fairfax County, Va., has already approved the same entrance salary for bach-

elior degree teachers as provided in phase I (\$6,400), and the 1968-69 entrance rate in all of save other suburban school systems will be within \$200 of the phase I schedule.

The committee believes that if the District is to attract personnel to the demanding tasks ahead in its inner city schools, it must offer salaries substantially above those available in the surrounding suburbs.

The combination phase I and phase II salary schedules recommended by the committee will provide the District a \$600 advantage in recruiting bachelor degree teachers in the Washington metropolitan area for the 1968-69 school year. According to information presently available to the committee it will place the District third in rank nationally (behind Detroit and Chicago) in the entrance salary payable to new bachelor degree teachers.

In the committee's opinion, the proposed phase II salary schedule is needed in order to prevent the District from once more falling seriously behind in salary comparisons.

Superintendent's salary increased

H.R. 16409, as amended and reported by the committee, increases the salary of the Superintendent of Schools of the District of Columbia (salary class 1) from the present \$26,000 to \$29,000 effective October 1, 1967, and to \$30,000 effective July 1, 1968. The Deputy Superintendent's salary (class 2) would also be raised from the present \$22,000 to \$25,000 on October 1, 1967, and to \$26,000 effective July 1, 1968. The Superintendent's salary has not been adjusted since 1964.

In the committee's view, the Superintendent's salary is too low in comparison with his responsibilities. According to the District

government, the present salary level ranks in 18th place among the 20 other cities over 500,000 population and fifth among the six other local school systems of the Washington metropolitan area. Such ranking does not reflect either the size of the District's public school system or the magnitude of its problems.

The committee is informed that for the school year 1966-67 the average salary paid superintendents in systems with enrollments of 25,000 or more was \$25,151. The lowest salary paid a superintendent by any of the other major cities over 500,000 population was the \$25,000 paid by San Antonio and St. Louis whose student enrollments of 76,000 and 115,000, respectively, are substantially below the District's 149,000.

During the hearing on the bill, the President of the District of Columbia Board of Education noted that in its recent nationwide search for a new superintendent, the Board was in the position of asking outstanding educators to take a cut in salary to come to the Nation's Capital to undertake what is acknowledged as perhaps the most difficult educational problem in the entire Nation.

The committee and the District government recognize that effective July 1, 1968, the increased Superintendent salary provided by the bill exceeds that paid to the District's chief executive officer, the Commissioner of the District of Columbia. However, as shown by the following table, 12 major cities pay their school superintendent a higher salary than they pay their mayor or city manager, as the case may be, and in four of the six suburban communities in the Washington metropolitan area the superintendent's salary exceeds that now paid in the District.

COMPARISON OF SALARIES OF MAYORS (CITY MANAGERS) AND SUPERINTENDENTS OF SCHOOLS FOR 21 CITIES OVER 500,000 POPULATION AND NEARBY COMMUNITIES

Cities (in order of population)	Mayor-city manager	Salary	Salary for superintendents of schools
New York.....	Mayor.....	\$50,000	\$45,000
Chicago.....	do.....	35,000	48,500
Los Angeles.....	do.....	35,000	47,000
Philadelphia.....	do.....	40,000	40,000
Detroit.....	do.....	35,000	35,000
Baltimore.....	do.....	25,000	35,000
Houston.....	do.....	20,000	35,000
Cleveland.....	do.....	25,000	39,500
Washington, D.C.....	Mayor-commissioner.....	29,500	26,000
St. Louis.....	Mayor.....	25,000	25,000
San Francisco.....	do.....	38,365	35,000
Milwaukee.....	do.....	26,842	33,000
Boston.....	do.....	40,000	33,000
Dallas.....	City manager.....	28,000	35,000
New Orleans.....	Mayor.....	25,000	27,500
Pittsburgh.....	do.....	25,000	32,500
San Antonio.....	City manager.....	27,500	25,000
San Diego.....	do.....	32,000	45,000
Seattle.....	Mayor.....	23,000	26,000
Buffalo.....	do.....	26,000	28,000
Cincinnati.....	City manager.....	35,000	30,000
Median (without District of Columbia).....		27,750	35,000
Mean (without District of Columbia).....		30,855	35,000
Nearby communities:			
Montgomery.....	County manager.....	33,415	30,000
Fairfax.....	County executive.....	32,000	28,000
Arlington.....	County manager.....	26,500	26,500
Alexandria.....	City manager.....	25,000	22,200
Falls Church.....	do.....	18,635	19,500
Prince Georges.....	(*).....		34,500
Washington, D.C.....	Mayor-commissioner.....	29,500	26,000

* Minimum salary is \$16,964 and maximum is \$22,635.

* No valid comparison can be made.

Source: Information Please Almanac, 1968; Salary Schedules for Administrative Personnel, 1966-67; National Education Association, 1967; unpublished data from the National Education Association, January 1968; independent survey District of Columbia Personnel Office.

The committee feels the increasing demands upon the professional directors of a great city school system make it not only desirable but necessary that these officials have their capable and dedicated service amply rewarded. This great city is going through social changes brought on by urbanization than rank second to none. A failure to increase these salaries at this time would be to ignore the responsibility that

the Congress, as the District's legislative body, must meet, and would leave these vitally important positions in an exceedingly poor competitive position in the Washington area and with other school systems of comparable size.

REMOVAL OF TEACHER-AIDE LIMITATIONS

Section 202(4) of Public Law 89-810, approved November 13, 1966, added a section

5(c) to the District of Columbia Teachers' Salary Act of 1955, authorizing the position of teacher aide (noninstructional) to be established at a grade not higher than GS-4, requiring that the minimum qualification for appointment to this position shall be the successful completion of at least 60 semester hours from a recognized institution of higher learning, and providing that the number of teacher aides shall at no time "exceed 5 percent of the number of classroom teachers in salary class 15" under the Teachers' Salary Act or any other act.

As passed by the House and reported by the committee, H.R. 16409 amends such section 5(c) to delete the 60-hour requirement, and authorize the Board of Education to prescribe minimum qualifications for appointment as a teacher aide. According to the National Education Association, approximately two-thirds of the systems using paid teacher aides require at least a high school education, although some have no educational requirements, and others require a college degree. The following table indicates educational requirements of teacher aides in 217 systems with 12,000 or more enrollment:

Educational requirements for paid teacher aides in 217 school systems with 12,000 or more enrollment, 1966-67

	Percent of systems
Elementary education.....	38
High school education.....	65
Some college but no degree.....	32
College degree.....	18

Source: NEA Research Bulletin; vol. 45, No. 2, May 1967.

Currently, approximately 109 teacher aides are employed in the District of Columbia public school system. Before enactment of the 60-semester-hour requirement, there were more than 300 GS-4 teacher aides. The requirement of 60 semester hours has necessitated the reduction in grade of most teacher aides who, although having experience, do not have the educational attainment.

The bill would also eliminate the 5-percent limitation on the number of teacher-aide positions allowed to be established by the District of Columbia public school system. The committee is informed that this restriction has seriously curtailed the program in the District, since funds from many sources such as the Elementary and Secondary Education Act are available and cannot be used. The following table provides a summary of fund sources for teacher-aide programs in other school systems:

SOURCES OF FUNDS FOR TEACHER AIDE PROGRAMS, 1965-66, SCHOOL SYSTEMS ENROLLING 12,000 OR MORE PUPILS

[In percent]		
Sources of funds	Provides partial funding	Provides total funding
Public school funds.....	63.1	25.3
ESEA (Elementary and Secondary Education Act).....	63.6	24.9
Office of Economic Opportunity.....	27.2	1.4
Foundations.....	7.4	
Special State funds.....	3.2	.5

Source: NEA Research Bulletin; vol. 45, No. 2, May 1967.

In the committee's judgment, the teacher-aide program can only be effective if it can give teachers more time for teaching. Teachers who are overburdened with the extraordinary range of tasks demanded of them are not in a position to meet the many instructional and developmental needs of deprived children. It is therefore essential to offer these teachers some help, so as to free them to use the talents and insights they possess. If the children have the chance to relate to more than one adult in a classroom, and if they have available to them the attentions of more than one adult,

it stands to reason that they will receive more highly individualized instruction.

The committee notes that other than those imposed by appropriations, there are no other statutory limitations on the numbers of staff the District school system may employ. The numbers of staff desired by the Board of Education is a matter which is considered annually by the Appropriations Committees of the Congress in their evaluation of the Board's specific requests.

In this committee's judgment, the appropriation process assures adequate control in the Congress over the number of teacher aides employed by the District. The existing percentage limitation is arbitrary and should be eliminated. The absolute requirement of 60 semester hours college-level training is unduly restrictive, and should be modified as recommended.

SERVICE STEP ASSIGNMENT

Paragraph (3) of section 2 of H.R. 16409 would amend section 7(a) of the Teachers' Salary Act of 1955 in order that those persons in positions in class 15, appointed from outside the District of Columbia public school system, such as librarians and counselors, can be given experience credit for educational experience other than as librarians or counselors. There is already interchangeability within class 15 positions for those appointed from within the District of Columbia public school system. This provision was requested by the District of Columbia Board of Education.

PROBATIONARY TENURE CREDIT

Paragraph (4) of section 2 of H.R. 16409 would also amend section 8(a) of the 1955 act so as to allow an employee of the Board of Education to be given credit toward satisfaction of the 2-year probationary period when serving in different positions in a salary class.

The act presently provides that a teacher in order to attain permanent status must serve 2 years of probationary service in that position; however, if the teacher should have also served as a counselor or librarian within the 2-year period, he or she must continue as a probationary employee until 2 years have been served in a single position. The amendment will allow a teacher, school officer, or other employee, under the act, to receive credit for 2 years service in any position in the class as satisfaction of the probationary tenure requirement. This provision was also requested by the Board of Education.

CORRECTION OF EFFECTIVE DATE OF EDUCATIONAL ATTAINMENT

Paragraph (5) of section 2 of H.R. 16409 amends section 10(a) of the 1955 act in order to allow the Board of Education to credit the educational attainment of a teacher or school officer 12 months prior to the date of approval by the Board. The committee is informed that employees who have acquired advanced degrees have lost salary by reason of delays in the submission of pertinent evidence from the college or university granting such degree, or because of omissions from the records of the school system. This amendment, requested by the Board of Education, would allow the employee to be paid on the effective date of receiving such degree, or 12 months prior to the approval of the Board of Education, whichever date occurs later.

CHANGE IN METHODS OF PAYMENT FOR EMPLOYEES IN SUMMER AND ADULT EDUCATION PROGRAMS

Paragraphs (6) and (7) of section 2 of the reported bill amend section 13(a) of the 1955 act in order to change the manner of designating employee pay rates in the summer school and adult education school from a per diem basis to a per period basis.

At the present time teachers who work in the summer school and adult education schools are paid a per diem rate which is

computed on the basis of 4½ hours. The committee is advised that with the growing remedial and enrichment programs taking place in the summer program, there is a need for certain teachers to work beyond the summer teaching day.

By establishing a per period rate, the school administration will have a greater flexibility in the use of teachers, especially in the summer school program. According to the Board of Education, which requests the amendment, in the past the lack of flexibility has necessitated shortening programs because no authority existed to pay beyond the 4½ hours per diem period.

RESTRICTION ON NUMBER OF TEACHERS TAKING GENERAL LEAVE ON A GIVEN DAY

Section 1 of the District of Columbia Teachers' Leave Act of 1949 (D.C. Code, sec. 31-691) provides in part that a teacher or attendance officer may use 3 days of cumulative sick leave, with pay, in any school year for any purpose, upon giving timely notice of such intended absence. No limitation is placed on the number of teachers in any school who may avail themselves of this general leave privilege on any given day.

On the occasion of the recent walkout by a large number of teachers in the District of Columbia school system, these teachers applied for a day of their general leave in such quantities as to force the schools in the city to close for that day. Your committee is informed that the District of Columbia Corporation Counsel advised the Board of Education on that occasion that they were without legal power to limit or restrict the number of teachers to whom such leave could be granted for that or any other day.

It is the opinion of your committee that this lack of authority on the part of the District of Columbia Board of Education to limit such general leave when necessary, to prevent any school from having to close any time for lack of teaching personnel, is a weakness in the present law which can militate against the interests of the school system and the citizens of the District. This weakness may be exploited whenever teachers in any given school may wish to take such leave on the same day for any purposes whatever, in sufficient numbers to seriously hamper the operation of that school on that day or even to necessitate its closing. Your committee feels strongly that while the privilege of these 3 days per year of leave with pay for personal reasons should be available to the teachers in the District public school system, the administration of this law should be so controlled that the welfare of the pupils shall be paramount.

Accordingly, section 5 of H.R. 16409 provides that not more than 5 percent of the teachers in any school, or three teachers whichever is greater, may be granted leave under the above-cited law on any one day. However, an exception to this limitation is provided when the purpose of the leave is to permit the teacher to attend a religious service or to observe a religious holiday. In these instances, it is the intent of your committee that such religious service or religious holiday be a part of the functioning of a bona fide, religious faith or congregation.

Cost of the bill

The estimated annual cost of H.R. 16409, as computed by the District of Columbia government's Personnel Office, is tabulated as follows:

Phase I, effective Oct. 1, 1967:	
Salary increases averaging 8.3 percent	\$4,756,500
Civil service retirement (temporary teachers)	80,000
Life insurance	14,800
Summer and evening schools ..	165,000
Total	\$5,016,300

Phase II, effective July 1, 1968:²

Salary increases averaging 19.2 percent	\$12,366,900
Civil service retirement (temporary teachers)	190,000
Life insurance	30,000
Summer and evening schools ..	370,000
Total	\$12,956,900

¹ Costs estimates exclude retirement contributions for regular teachers and school officers.

² Costs indicate increase above present teacher and school officers salaries provided in Public Law 89-810.

FUNDING

As pointed out earlier in this report, the District of Columbia government has informed the committee that the added cost of the proposed salary increases during fiscal 1968, amounting to an estimated \$1.3 million, will be absorbed by the District through a number of its reserve accounts subject to reimbursement out of increased revenues to be provided in fiscal year 1969 pursuant to District government revenue proposals now pending in the Congress.

The added cost during fiscal year 1969—above the District of Columbia budget requests presently pending before the Congress—will amount to an estimated \$7.3 million, and will, according to the District government, also be funded out of increased revenues anticipated from pending revenue proposals.

COMMITTEE AMENDMENT

As passed by the House, H.R. 16409 established the annual salaries of the Superintendent and the Deputy Superintendent of Schools of the District of Columbia at \$28,000 and \$24,000, respectively. For reasons expressed earlier in this report, the committee has amended the House-passed bill to provide the Superintendent and Deputy Superintendent a two-step salary increase to \$29,000 and \$25,000, respectively, effective October 1, 1967, and \$30,000 and \$26,000, respectively, effective July 1, 1968.

Hearing

On February 14, 1968, the Subcommittee on Fiscal Affairs held a public hearing on S. 2659 and S. 2679, legislative proposals to increase the salaries of District of Columbia teachers and school officers.

The Commissioner of the District of Columbia, the President of the District of Columbia Board of Education, the Superintendent of Schools, and representatives of a number of teacher organizations and citizen associations appeared at these hearings and wholeheartedly supported substantial increases in teacher and school officer salaries. No one appeared in opposition.

CONCLUSION

As is evidenced by the President's message on the District of Columbia of March 13, 1968, a great effort is underway, to renew, rejuvenate, and enhance the quality of public education in Washington. There is much talk of making the education of children in the Nation's Capital a model for the rest of the Nation. This cannot and will not come to pass unless the massive turnover rate of teachers in the District's school system is stopped. The District of Columbia can no longer afford to be a training ground for neighboring suburban school districts. Washington must be placed in a position not only to retain its experienced educational staff, but to attract a new breed of teachers who are willing and able to teach effectively amidst the difficult conditions of a restless and growing city.

In your committee's judgment, it is absolutely certain that this will not be done unless the District is able to compete for staff with a superior salary scale. The lesson of the past is a clear one. It may be possible to

attract a few highly motivated, well-qualified teachers to one of the most difficult teaching jobs in the Nation for the same money they could earn in more affluent communities, but it is clearly unrealistic and unreasonable to expect many such teachers to enter more demanding work for the same or less money.

In the committee's judgment, the salary levels proposed in H.R. 16409 are both realistic and reasonable. They will give the District of Columbia Board of Education the advantage it must have to improve the quality of instruction in the schools. They help recognize the teacher's high place in the scale of community values. This investment in the educational system is a necessary fundamental step. Good teachers foster good citizens.

It is in this spirit that your committee commends H.R. 16409, as amended, to the Senate for prompt passage.

ORDER FOR RECOGNITION OF SENATOR GRIFFIN ON WEDNESDAY NEXT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that at

the close of routine morning business on Wednesday next, May 15, 1968, the distinguished Senator from Michigan [Mr. GRIFFIN] be recognized for not to exceed 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 11 A.M.

Mr. BYRD of West Virginia. Mr. President, if there be no further business to

come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 11 o'clock a.m. tomorrow.

The motion was agreed to; and (at 5 o'clock and 27 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, May 14, 1968, at 11 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 13, 1968:

UNITED NATIONS

George W. Ball, of New York, to be the representative of the United States of America to the United Nations with the rank and status of Ambassador Extraordinary and Plenipotentiary, and the representative of the United States of America in the Security Council of the United Nations.

AMBASSADOR

G. Mennen Williams, of Michigan, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Philippines.

HOUSE OF REPRESENTATIVES—Monday, May 13, 1968

The House met at 12 o'clock, noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

If God be for us, who can be against us?—Romans 8: 31.

O God, our Father, we come together at this moment to unite our hearts in prayer unto Thee. Keep us aware of Thy presence and make us receptive to the leading of Thy spirit as we live through the stress and strain of these difficult days.

Since no man lives a stranger to trouble, grant that we may not give up before the hazards of life but may live with that hope which belongs to those who trust in Thee, confident that new paths will open to those who walk with faith.

In this day when people knock at the door of our hearts and call us to lead the way to a greater life, together may we place the weight of our influence on the side of life and health and brotherhood—through Him who is the way, the truth, and the life. Amen.

THE JOURNAL

The Journal of the proceedings of Friday, May 10, 1968, was read and approved.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Geisler, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On May 4, 1968:

H.R. 15344. An act to amend section 14(b) of the Federal Reserve Act, as amended, to extend for 2 years the authority of Federal Reserve banks to purchase U.S. obligations directly from the Treasury.

On May 7, 1968:

H.R. 10477. An act to amend chapter 37 of title 38 of the United States Code with respect to the veterans' home loan program,

to amend the National Housing Act with respect to interest rates on insured mortgages, and for other purposes.

On May 8, 1968:

H.R. 15398. An act to amend the National School Lunch Act to strengthen and expand food service programs for children, and for other purposes.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 14940) entitled "An act to amend the Arms Control and Disarmament Act, as amended, in order to extend the authorization for appropriations."

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 1119. An act to grant minerals, including oil and gas, on certain lands in the Crow Indian Reservation, Mont., to certain Indians, and for other purposes.

THE SLEEPY AND INEFFECTUAL INTERSTATE COMMERCE COMMISSION

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. HECHLER of West Virginia. Mr. Speaker, this morning's New York Times carries a blazing lead editorial condemning the Interstate Commerce Commission for its sleepy and ineffectual efforts to protect the public interest.

Mr. Speaker, I testified before the Interstate Commerce Commission to pro-

test the proposed discontinuance of several Chesapeake & Ohio trains. The Commission not only allowed the discontinuance in a case decided May 7, 1968, but their review of the evidence is a gross insult to the public which rides these trains.

As a Member of Congress, I received hundreds of letters from constituents protesting conditions on these railroads, and pointing unmistakably to the railroad efforts to downgrade service. In my 32-page testimony before the Interstate Commerce Commission, I quoted extensively from 35 constituents who had written me about their personal experiences with roaches in the coaches and other conditions which had discouraged passengers from traveling.

For 2 days, the battery of high-paid counsel for C. & O. cross-examined me on the witness stand, and the only point they could make was that I had not personally ridden with each of these constituents when they experienced these conditions. I testified that I had had personally seen and experienced the disgraceful conditions on the railroads. Now listen to how the ICC summarizes my testimony in his ruling. Commissioner Stafford says, at page 112:

A portion of the Congressman's testimony was comprised of excerpts from written communications he had received from his constituents. Upon cross-examination, he admitted that he had no personal knowledge of the circumstances complained of by these constituents.

Now I ask you, Mr. Speaker, are we supposed to ride personally on every train before we can legally submit evidence to this prejudiced body, the Interstate Commerce Commission? How long, Oh, Lord, how long is this sleepy old agency going to continue to pamper railroad management, and when is the Interstate Commerce Commission going to begin to protect the defenseless traveling public, and when is Congress going to insist that the ICC protect the public interest instead

of the private interests of railroad management?

OKLAHOMA CELEBRATES 21ST ANNIVERSARY STRAWBERRY FESTIVAL AT STILWELL

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. EDMONDSON. Mr. Speaker, the red and white necktie I am wearing today is in recognition of the 21st Annual Strawberry Festival which was celebrated on Saturday, May 10, at Stilwell, Okla.—the strawberry capital of the world.

Thousands of Oklahomans and hundreds of visitors from other States were on hand for the colorful festival events, and several showers failed to dampen the large crowd's enthusiasm or to stop the big parade.

Johnnie Lee Wills' famous Western Band was a major attraction at coronation ceremonies for beautiful Festival Queen Carolyn Carson, the 17-year-old daughter of Dr. and Mrs. John H. Carson.

The festival queen's lovely young attendants were Miss Beverly Green, daughter of Dr. and Mrs. Burdge Green, and Miss Sherrie Cole, daughter of Mr. and Mrs. Lloyd Cole, Jr.

Bill Cunningham, district lieutenant governor of Kiwanis International, crowned Queen Carolyn.

Stilwell's Strawberry Festival, as usual, was featured by the serving of fresh strawberries and cream to thousands on the courthouse lawn.

During the 21 years of the festival's history, it has grown steadily as a major Oklahoma tourist attraction, and license tags from all over the United States were in evidence in Stilwell last Saturday.

In closing, I would like to repeat the words of welcome which appeared on the editorial page of the Stilwell Democrat Journal last Thursday:

Stilwell is a friendly town. Come join us for the festival. You'll have a good time.

THE TAX-EXPENDITURE CUT PACKAGE

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS. Mr. Speaker, I have asked for and been granted a special order on tomorrow for 1 hour, at which time I intend to discuss the proposed tax bill and expenditure cut.

I was one of the conferees who did not sign the conference report. This was for very important procedural reasons but also for very important substantive reasons.

The issue before this society is one of inflation. It becomes a real question

whether simply transferring purchasing power from the private sector to the governmental sector through a tax increase without a sincere effort on the part of the Johnson administration to cutback its expenditures will really do the job. I intend to discuss that tomorrow in some detail.

The President of the United States still has not spoken up, which is a prerequisite if this kind of fiscal package is going to do any good.

CAPTIVE RUMANIA

Mrs. BOLTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mrs. BOLTON. Mr. Speaker, the 10th of May marked the traditional national holiday of the Rumanian people. In early years of the nation, neighboring countries hoped to absorb the new nation, but Rumanian patriots exercised wise and steadfast policies to strengthen the power and prestige they had gained.

Since the beginning of Rumanian history, in 1866, Rumanians have cherished that anniversary and observed it. With the changes brought about by World War II, Rumania lost its freedom. The 10th of May, however, still symbolizes to the people of Rumania the fact of nationhood and inspires them to persevere through present difficulties until freedom can be regained.

In 1968 the world has seen new efforts by captive Rumania to exercise independence. It is no secret that its leaders disagree with the Soviet authorities over many policies. Other members of the Warsaw Pact have been noticeably impressed with the courage and independence of the Rumanians. Among the people at large there is marked emphasis on Rumanian history and tradition. There is a serious decline in the birth rate, in reaction to the inadequate standard of living and malnutrition offered by the Communist economy. There are continued lags in industry and farm production.

Free Rumanians living in West Europe and the United States observed their anniversary with renewed dedication to the task of seeking freedom for their enslaved country. They held the official celebrations which their exploited countrymen could not—to keep alive the dream of free Rumania. Let us, who believe in freedom, join in observing this anniversary and in commending the courage and indomitable spirit of Rumania.

FAIR INTERNATIONAL TRADE BILL

Mr. LANGEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. LANGEN. Mr. Speaker, it was sad to learn that this Nation suffered its first

merchandise trade deficit in 5 years and experienced another big run on U.S. gold during March. At the same time, consumer prices rose and the cost-of-living index advanced for the 14th consecutive month, while farm parity dropped to 73.

With serious economic problems growing worse, and the international balance-of-payments situation threatened even further by the trade imbalance, we must use every tool at our disposal to reverse these trends. That is why I am today introducing the Fair International Trade Act of 1968 to encourage the growth of international trade on a fair and equitable basis.

This bill is based on the idea of sharing the domestic market with imports and allowing imports to grow as domestic consumption of the product grows. The effect would be to treat imports liberally without allowing them to take over our market at will and driving the competing domestic industry to the wall. Imports would be allowed to grow, but their destructive efforts would be contained. Imports would be kept in balance and would not flood our markets at will, contributing to our trade imbalance.

The fair international trade bill would apply to a number of industries in my native Minnesota, such as the iron ore industry, the makers of building materials such as hardboard, and many other concerns including agriculture. However, this bill would not affect existing quota laws that apply to a number of agricultural products.

Mr. Speaker, I commend this bill to our colleagues as a realistic answer to the problems of uncontrolled imports. It offers some protection for American domestic industries, but does not close the door on foreign suppliers. They would still be able to participate in our markets, but on a fair basis. It is hoped that this measure will receive serious attention during this session of Congress.

SPECIAL ORDER VACATED

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the special order previously granted to me for today be vacated.

The SPEAKER. Is there objection to the request to the gentleman from Iowa?

There was no objection.

HIGHWAY SAFETY ACT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 311)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Public Works and ordered to be printed, with illustrations:

To the Congress of the United States:

I am pleased to transmit the first annual report on the administration of the Highway Safety Act of 1966.

Each year, more than 50,000 Americans die on our highways. Millions more are injured. Billions of dollars are lost by death, disability, and protracted stays in hospitals.

This report, which covers the period from September 9, 1966, to December 31, 1967, shows that we have begun to take effective action to stem this terrible tide.

During this period

—We established a National Highway Safety Bureau.

—We issued highway safety standards. All 50 States received Federal grants-in-aid to help them and local communities to improve their highway safety programs.

—A broad research program has begun, which will provide sound guidelines for future safety standards.

The fight to stop the slaughter on our highways will be long and hard. I hope the Congress will be encouraged by this report to continue its strong support of these vital programs.

LYNDON B. JOHNSON.

THE WHITE HOUSE, May 13, 1968.

NATIONAL TRAFFIC AND MOTOR VEHICLE SAFETY ACT OF 1966—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO 310)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Interstate and Foreign Commerce and ordered to be printed, with illustrations:

To the Congress of the United States:

This year, we can expect 53,000 Americans to die on our Nation's highways.

We can expect almost 4 million Americans to be injured in automobile accidents—nearly 10,000 people hurt every day.

We can expect automobile fatalities to be the largest cause of death in the 15 to 35 age group.

Year after year, those expectations become gruesome reality.

In 1966, we took our first major step to combat this shameful waste. And now I am pleased to transmit to the Congress the first annual report of the National Traffic and Motor Vehicle Safety Act of 1966.

This report covers the period between September 9, 1966, and December 31, 1967, and I believe it shows a promising beginning.

During this period

—Two hundred safety-related recall campaigns were conducted by the motor vehicle industry.

—The first Federal motor vehicle standards in history were issued and are already in application on all cars manufactured after January 1 of this year.

—Additional standards were issued for vehicles manufactured after January 1, 1969.

—A sound research program has been begun, to provide a firm basis for future safety standards for vehicles and for State safety programs.

Our efforts are beginning to tell: the rate of increase of traffic deaths has slowed somewhat. Still, the destruction wrought by Americans on themselves, their fellow citizens, and their property is of tragic proportions.

I hope that this report will encourage the Congress to continue its support for these programs, and I commend it to your attention.

LYNDON B. JOHNSON.

THE WHITE HOUSE, May 13, 1968.

CALL OF THE HOUSE

Mr. PELLY. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 134]

Abernethy	Gurney	Olsen
Arends	Hagan	O'Neill, Mass.
Baring	Hanna	Pepper
Bingham	Halleck	Pickle
Blackburn	Halpern	Pike
Blanton	Grover	Podell
Brasco	Hansen, Idaho	Pollock
Burton, Utah	Hansen, Wash.	Pryor
Button	Hardy	Pucinski
Cabell	Hébert	Purcell
Celler	Heckler, Mass.	Quillen
Conyers	Hollifield	Resnick
Corbett	Holland	Roberts
Corman	Irwin	Ronan
Cramer	Jarman	Rostenkowski
Cunningham	Jonas	Scheuer
Daddario	Jones, N.C.	Selden
Davis, Wis.	Kee	Skubitz
Dent	Kelly	Smith, Iowa
Diggs	Kluczyński	Stephens
Dorn	Kornegay	Stubblefield
Dow	Kupferman	Stuckey
Downing	Laird	Talcott
Edwards, La.	Leggett	Teague, Tex.
Evins, Tenn.	Lloyd	Tenzer
Farbstein	Long, La.	Thompson, N.J.
Fino	Lukens	Tuck
Flood	Madden	Watkins
Ford, Gerald R.	Mailliard	Whalley
Fraser	Matsunaga	Wilson
Frelinghuysen	Miller, Calif.	Charles H.
Fulton, Tenn.	Mink	Wolff
Gallagher	Mize	Wyder
Gardner	Moore	Wyman
Gray	Morse, Mass.	Young
Green, Oreg.	Murphy, N.Y.	Zion
Griffin	Nix	
Griffiths	O'Konski	

The SPEAKER. On this rollcall 324 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PERSONAL EXPLANATION

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, I would like to announce my position on two votes which I missed early last week due to my presence in Ohio for our State primary.

I would have voted in favor of H.R. 16819, the Vocational Rehabilitation Act Amendments of 1968.

I supported the proposal for House Joint Resolution 958, authorizing the Secretary of Transportation to conduct a comprehensive study and investigation of the existing compensation system for motor vehicle accident losses, in the In-

terstate and Foreign Commerce Committee and would have voted in favor of that resolution.

INCREASING AUTHORIZATION FOR APPROPRIATION FOR CONTINUING WORK IN THE MISSOURI RIVER BASIN BY THE SECRETARY OF THE INTERIOR

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1165 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1165

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 3033) to increase the authorization for appropriation for continuing work in the Missouri River Basin by the Secretary of the Interior. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Missouri is recognized for 1 hour.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from Nebraska [Mr. MARTIN], pending which I yield myself such time as I may consume.

Mr. Speaker, the rule is self-explanatory; 1 hour, open. I know of no controversy either on the rule or on the bill it would make in order.

I reserve the remainder of my time.

Mr. MARTIN. Mr. Speaker, I yield myself such time as I may consume.

House Resolution 1165 provides for an open rule, with 1 hour of debate, on S. 3033, a bill to increase the authorization for appropriation for continuing work in the Missouri River Basin by the Secretary of the Interior.

The increase is for the 2 years 1969 and 1970. It totals \$59,000,000. There is expected, 2 years hence, a further additional authorization to continue the construction work authorized by Congress in 1964, and this future authorization is expected to complete the work on the projects.

No new projects may have funds appropriated for them from moneys authorized by the bill—it is strictly to complete projects now under construction. The Department of the Interior has advised the committee that unless these funds are authorized they will have to stop work on a number of projects as of June 30, 1968.

The Flood Control Act of 1944 authorized the Secretary of the Interior to undertake a portion of the comprehensive plan for the development of the Missouri River Basin. Section 9(e) of that act authorized an appropriation of \$200 million for partial accomplishment

of the works to be undertaken by the Secretary. Since then the authorization of the Missouri River Basin program called for a sum of \$975,680,000 which has been expended on the basin and various construction projects. The Department of the Interior supports the bill, as does the Bureau of the Budget.

I know of no controversy on this legislation, Mr. Speaker, and I support the rule and the legislation.

Mr. BOLLING. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. JOHNSON of California. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 3033) to increase the authorization for appropriation for continuing work in the Missouri River Basin by the Secretary of the Interior.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 3033) with Mr. RANDALL in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from California [Mr. JOHNSON] will be recognized for 30 minutes, and the gentleman from Pennsylvania [Mr. SAYLOR] will be recognized for 30 minutes.

The Chair recognizes the gentleman from California.

Mr. JOHNSON of California. Mr. Chairman, I yield such time as he may consume to the gentleman from Colorado [Mr. ASPINALL].

Mr. ASPINALL. Mr. Chairman, S. 3033 is similar to legislation we have been bringing before the House every 2 years to provide for continuing reclamation work in the Missouri River Basin by the Department of the Interior. All of the projects and units for which funds are included were started prior to 1964 and appropriations authorized in S. 3033 will be used to carry them forward toward completion. None of the funds will be used to start new units.

It was in 1964 that the committee decided that the Missouri Basin project authorization was so out of date that all new units should be authorized or reauthorized by Congress whether or not they were included in the program authorized in the Flood Control Act of 1944. This procedure was approved by the Congress and has been in effect since that time.

While there is a sizable amount of money, \$59 million, authorized to be appropriated in S. 3033, this legislation, in a way, constitutes a routine action of the Congress because it does involve a going program. One very worthwhile purpose served by this authorization bill, as well as others along this line that we have considered at 2-year intervals, is to permit our committee to meet its over-

sight responsibility as far as the Missouri River Basin project is concerned until all of the units started prior to 1964 have been completed.

Mr. Chairman, as far as I know, this legislation is noncontroversial. It will clear the way for the Appropriations Committee to act on the President's fiscal year 1969 budget request which it already has under consideration for this work in the Missouri River Basin.

I urge the approval of S. 3033.

Mr. HALL. Mr. Chairman, will the distinguished gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Chairman, I appreciate the distinguished chairman of the Committee on Interior and Insular Affairs yielding to me at this point for informational questions which I hope will be of benefit to the entire body.

I notice that this authorization is to the Secretary of the Department of the Interior, and I would presume that most of the projects involved are in the original Missouri River Basin Act and are reclamation projects; is that correct?

Mr. ASPINALL. The gentleman from Missouri is correct. All of these moneys are for reclamation projects. The authorization in the Flood Control Act of 1944 was also directed toward flood control projects which are being taken care of by the Army Corps of Engineers. For the implementation of the Corps projects authorized by that act the same criteria was not approved that was established as that agreed upon several years ago for reclamation projects. All of the projects in the Missouri Basin which had not been started by the midfifties had to be reauthorized because of the period of time which had elapsed since the original authorization.

Mr. HALL. Mr. Chairman, if the gentleman will yield further, I think the distinguished chairman of the committee has anticipated my next question: Would there be any authorization herein that might be sublet, so to speak, to the Army Corps of Engineers for an additional project?

Mr. ASPINALL. Not a penny.

Mr. HALL. Then, Mr. Chairman, may I ask the distinguished gentleman from Colorado, after a careful study of the bill and the report, and after listening to every single word which the gentleman has said in the well today; why at this time of the "price-cost squeeze" and economy in the executive branch—and allegedly on the part of the Congress—we increase the authorization by \$59 million?

In other words, could we continue these various projects which are listed in the report at a status quo rate rather than making this increase? I realize that there has to be taken into consideration the forecast of higher cost of construction in the future and coincident with irreversible inflation, but simply in the interest of economy, I naturally wonder if we could reasonably continue along with the approved works. If we did so, we need not hurt the current status of these projects, although it might be more expensive in the long run.

Mr. ASPINALL. In response to the question of the gentleman from Missouri,

when we consider the building of one of these projects, I will say to my friend that I am sure he understands it is somewhat similar to a surgical operation. In other words, a surgeon does not stop at any place but in the interest of efficiency and success he finishes the operation in an orderly manner. In reclamation the engineers should continue in an orderly manner until it is completed within a reasonable period of time.

Mr. HALL. Is there any reason to go ahead with these transmission lines?

Mr. ASPINALL. Yes; I would say that it is highly necessary that we continue to proceed with the construction of these transmission lines, because the power is available and it should be sold and it should be sold in the area where it can be marketed.

Mr. Chairman, if the distinguished gentleman from Missouri will take a look at the chart which appears on page 2 of the report, the gentleman will see that there is a sizable amount of money involved here insofar as transmission lines are concerned.

These are the transmission lines that will bring the power from the area around Fort Thompson to Grand Island.

Mr. HALL. In that connection, before the gentleman answers the first part of the prior question, are these transmission lines a part of the eventually to be realized Federal grid?

Mr. ASPINALL. I do not know about the Federal grid part of it, but these are necessary lines for the Missouri Basin grid to carry the power that is being generated by the powerplants along the Missouri River.

Mr. HALL. Will there be any part of the lines that will intermingle with the Bonneville and TVA facilities, the so-called interties?

Mr. ASPINALL. As far as their use in power is concerned, I would say no, but as far as making a flat statement that there would not be any intermingling of power, I could not answer that, because in that instance the amount of power is involved rather than the matter of intermingling, but these lines are not for that purpose. These are for the purpose of completing a grid that is for the purpose of carrying power that is produced by these great powerplants along the Missouri River.

Mr. HALL. I certainly agree with the distinguished gentleman, if we are going to produce power while controlling floods and reclaiming land and water proper practices, that we ought to market it because that is the only way we make such projects feasible, and recoup part of the money for the U.S. taxpayer; and second, I want to state that having these projects in being that we are appreciative on the lower reaches of the Missouri Basin for the flood control, and no one wants to hinder that.

But now, with those two postulates, getting back to our original question, as I understand the distinguished gentleman, they have reviewed by individual line items the spending on the in-being projects of the additional \$59 million—and these authorizations always come home to roost in the form of appropriations later—and without it we could not satisfactorily or at least so economically

complete the projects, in the experience and the wisdom of the distinguished gentleman and his committee?

Mr. ASPINALL. That is right. It is my feeling that we lose money in the inefficiency of not proceeding orderly with the engineering features of a project after once having started it. And as I say, all of these moneys are to be repaid, as my friend from Missouri understands, under the policies of the reclamation program.

Those portions that might be considered to be recreation are, of course, more reimbursable. For these transmission lines, the cost of which makes up the most of this authorization, will be repaid with interest.

Mr. HALL. I thank the gentleman.

Mr. SAYLOR. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of S. 3033, a bill to increase the authorization for appropriations for continuing work in the Missouri River Basin by the Bureau of Reclamation of the Department of the Interior.

The purpose of this legislation, which is a request of the administration, is to authorize appropriations for fiscal year 1969 and 1970 to continue the Bureau of Reclamation's long-standing program of investigating, constructing, and operating facilities for the optimum multipurpose use of water and associated land resources of the Missouri River Basin.

The amount requested and authorized to be appropriated by this legislation for fiscal years 1969 and 1970 is \$59 million. This amount includes \$31,119,000 of the President's fiscal 1969 budget. The remaining \$28,317,000, is the estimated requirements for fiscal year 1970 as Federal obligations for activities in the Missouri River Basin. The total figure authorized for appropriation for 1969 and 1970 is rounded to \$59 million.

The need for this legislation arises from the fact that the current appropriation authorization expires on June 30, 1968. The appropriation authorized by this bill is required to continue the ongoing program in the Missouri River Basin, and is in support of the administration's request for appropriations for fiscal year 1969.

The Flood Control Act of 1944—58 Stat. 887, 9(e)—authorized the appropriation of \$200 million for partial accomplishment of the portion of the comprehensive plan of development of the Missouri River Basin, to be undertaken by the Secretary of the Interior.

This program has been continued by subsequent acts which have increased the funds authorized to be appropriated to carry out the comprehensive plan. In 1964, a policy was initiated of authorizing appropriations to continue the program for 2 fiscal years only and prohibiting the use of funds appropriated under the authorization for the initiation of new construction or additional units of the project.

To date, the total appropriations authorized for work pursuant to the comprehensive plan of development of the Missouri River Basin has been \$1,104 million. This bill authorizes an additional ceiling of \$59 million.

The policy initiated in 1964 has sub-

stantially cleared the chaos that existed prior to that time in the development of this program. It is now estimated that all the works authorized for construction prior to 1964 will be completed within the next few years. If so, there will be little need for legislation authorizing appropriations such as S. 3033, in the future.

Mr. Chairman, I support the passage of S. 3033, as favorably reported by the House Committee on Interior and Insular Affairs.

Mr. DENNEY. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I am happy to yield to the gentleman from Nebraska.

Mr. DENNEY. I notice on page 2 of the report the statement by the committee that this bill does not have any effect on the transmission lines already in process of construction.

As the gentleman knows, I am interested in the 345-kilovolt line in Nebraska. If I understand the committee report, this bill has no effect on that whatsoever; is that correct?

Mr. SAYLOR. That is correct. The money for that has already been appropriated. As you will notice, the chairman of the full committee, the gentleman from Colorado [Mr. ASPINALL] called the attention of our colleague, the gentleman from Missouri [Mr. HALL] to the fact that the two largest items to be authorized to be appropriated for 1969 and 1970 are the construction of additional transmission lines in this area. These transmission lines are necessary so that the power which is to be produced by Yellow Tail Dam, and some of the other dams will be able to be marketed in areas where there is a market for it.

Mr. DENNEY. I thank the gentleman.

Mr. JOHNSON of California. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, as the distinguished chairman of the Interior and Insular Affairs Committee has indicated, the purpose of S. 3033 is to increase the authorization for appropriations for continuing the "going" construction and planning program of the Department of the Interior in the Missouri River Basin. The funds are confined to fiscal years 1969 and 1970 and language is included which prohibits the appropriation of any of these funds to initiate construction of any new units. With respect to transmission lines, the committee has taken the position that they will be eligible for funding without further authorization if they are necessary for marketing power and energy from Federal generating facilities already completed or under construction.

The subcommittee, of which I am chairman, examined fully all the items of work proposed to be carried out under this authorization and found all of them justified and needed in connection with the overall development of the Missouri River Basin project. About \$31 million is for fiscal year 1969 and the administration's budget request for this amount is already under consideration in the Appropriations Committee.

Mr. Chairman, the Flood Control Act of 1944 authorized the Secretary of the Interior to undertake a portion of the comprehensive plan for development of

the Missouri River Basin, and section 9(e) of that act authorized the appropriation of \$200 million for partial accomplishment of the works to be undertaken by the Secretary. Subsequent authorizations have increased this amount to \$1,014,000. However, since the appropriation authorization acts since 1964 have been limited to specific fiscal years and authorization for roughly \$38,320,000 will have lapsed by June 30 of this year, the net authorized appropriations to the end of the current fiscal year will be about \$975,680,000.

Not all of the work underway in the Missouri Basin can be completed during fiscal years 1969 and 1970, and there will be a need for additional authorization 2 years hence. However, within the next few years, the construction work which was started prior to 1964 will be completed and there will be no further need for appropriation authorization acts along the lines of S. 3033. All acts authorizing new units will themselves include authority for the necessary appropriations. This was done in the case of the Garrison diversion unit authorized in the 89th Congress and the mid-State division authorized last year, and appropriations for these projects are not included in the authority contained in S. 3033.

Mr. Chairman, we recommend this legislation as it passed the other body. No amendments are required. I urge the approval of S. 3033.

Mr. SAYLOR. Mr. Chairman, I have no further requests for time.

Mr. JOHNSON of California. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

S. 3033

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated for fiscal years 1969 and 1970 the sum of \$59,000,000 for continuing the work in the Missouri River Basin to be undertaken by the Secretary of the Interior pursuant to the comprehensive plan adopted by section 9(a) of the Act approved December 22, 1944 (Public Law Numbered 534, Seventy-eighth Congress), as amended and supplemented by subsequent Acts of Congress. No part of the funds hereby authorized to be appropriated shall be available to initiate construction of any unit of the Missouri River Basin project, whether included in said comprehensive plan or not.

Mr. SAYLOR (during the reading). Mr. Chairman, I ask unanimous consent that further reading of the bill be dispensed with, that it be printed in the RECORD at this point, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The CHAIRMAN. There being no amendments, under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. RANDALL, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the

bill (S. 3033), to increase the authorization for appropriation for continuing work in the Missouri River Basin by the Secretary of the Interior, pursuant to House Resolution 1165, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the third reading of the bill.

The bill was ordered to be read a third time, and was read the third time.

The SPEAKER. The question is on passage of the bill.

The question was taken, and the Speaker announced that the ayes appeared to have it.

Mr. HALL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 296, nays 18, not voting 119, as follows:

[Roll No. 135]

YEAS—296

Abbott	Culver	Hawkins
Adair	Curtis	Hays
Adams	Davis, Ga.	Hechler, W. Va.
Albert	Dawson	Heckler, Mass.
Anderson, Ill.	de la Garza	Helstoski
Anderson, Tenn.	Delaney	Henderson
Andrews, Ala.	Dellenback	Hicks
Andrews, N. Dak.	Denney	Hosmer
Annuzio	Derwinski	Howard
Ashbrook	Devine	Hull
Ashley	Dickinson	Hungate
Ashmore	Donohue	Hunt
Aspinall	Dowdy	Hutchinson
Ayres	Dulski	Ichord
Baring	Duncan	Jacobs
Barrett	Dwyer	Johnson, Calif.
Bates	Eckhardt	Johnson, Pa.
Battin	Edmondson	Jonas
Belcher	Edwards, Ala.	Jones, Ala.
Bell	Edwards, Calif.	Jones, Mo.
Bennett	Eilberg	Kastenmeier
Berry	Erlenborn	Kazen
Betts	Esch	Keith
Bevill	Eshleman	King, Calif.
Blester	Evans, Colo.	Kirwan
Blatnik	Everett	Kleppe
Boggs	Evins, Tenn.	Kornegay
Boland	Fallon	Kuykendall
Bolling	Fascell	Kyl
Brademas	Feighan	Kyros
Bray	Findley	Landrum
Brinkley	Fisher	Leggett
Brock	Flynt	Lennon
Brooks	Foley	Lipscott
Broomfield	Ford	Long, Md.
Brotzman	William D.	McClory
Brown, Calif.	Fountain	McCloskey
Brown, Mich.	Friedel	McClure
Brown, Ohio	Fulton, Pa.	McCulloch
Broyhill, N.C.	Fuqua	McDade
Broyhill, Va.	Gallfanakis	McDonald, Mich.
Buchanan	Garmatz	McEwen
Burke, Fla.	Gathings	McFall
Burke, Mass.	Gettys	McMillan
Burleson	Giambo	Maddison, Mass.
Burton, Calif.	Gibbons	MacGregor
Burton, Utah	Gilbert	Machen
Bush	Gonzalez	Mahon
Byrnes, Wis.	Goodling	Marsh
Cahill	Gross	Martin
Carey	Gubser	Mathias, Calif.
Carter	Gude	Mathias, Md.
Cassey	Haley	May
Cederberg	Hall	Mayne
Chamberlain	Hamilton	Meeds
Clancy	Hammer	Miller, Calif.
Clawson, Del.	schmidt	Miller, Ohio
Cohelan	Hanley	Mills
Collier	Hanna	Monagan
Colmer	Harrison	Montgomery
Conable	Harsha	Moorhead
Cowger	Harvey	Morgan
	Hathaway	

Morris, N. Mex.	Rivers
Morton	Robison
Mosher	Rogers, Colo.
Moss	Rogers, Fla.
Murphy, Ill.	Rooney, N.Y.
Myers	Rosenthal
Natcher	Roth
Nedzi	Roudebush
Nelsen	Roush
Nichols	Roybal
O'Hara, Ill.	Ruppe
O'Neal, Ga.	Ryan
O'Konski	St Germain
Passman	St. Onge
Patman	Sandman
Patten	Satterfield
Pelly	Saylor
Perkins	Schadeberg
Pettis	Scherie
Philbin	Schneebeli
Pike	Schweiker
Pirnie	Schwengel
Poage	Scott
Poff	Shipley
Pool	Shriver
Price, Ill.	Sikes
Price, Tex.	Sisk
Quie	Smith, Calif.
Randall	Smith, N.Y.
Rarick	Smith, Okla.
Rees	Snyder
Reid, Ill.	Springer
Reifel	Stafford
Reinecke	Staggers
Reuss	Stanton
Rhodes, Ariz.	Steed
Rhodes, Pa.	Steiger, Ariz.

NAYS—18

Bow
Cleveland
Conte
Horton
Joelson
Karth

Langen
McCarthy
Michel
Minish
Ottinger
Reid, N.Y.

Riegle
Rodino
Rumsfeld
Stratton
Sullivan
Yates

NOT VOTING—119

Abernethy
Addabbo
Arends
Bingham
Blackburn
Blanton
Bolton
Brasco
Button
Byrne, Pa.
Cabell
Celler
Clark
Clausen, Don H.
Conyers
Corbett
Corman
Cramer
Cunningham
Daddario
Daniels
Davis, Wis.
Dent
Diggs
Dingell
Dole
Dorn
Dow
Downing
Edwards, La.
Farbstein
Fino
Flood
Ford, Gerald R.
Fraser
Frelinghuysen
Fulton, Tenn.
Gallagher
Gardner
Goodell

Gray
Green, Oreg.
Griffin
Griffiths
Grover
Gurney
Hagan
Halleck
Halpern
Hansen, Idaho
Hansen, Wash.
Hardy
Hébert
Herlong
Holifield
Holland
Irwin
Jarman
Jones, N.C.
Karsten
Kee
Kelly
King, N.Y.
Kluczynski
Kupferman
Laird
Latta
Lloyd
Long, La.
Lukens
Madden
Mailliard
Matsunaga
Meskill
Mink
Minshall
Mize
Moore
Morse, Mass.
Murphy, N.Y.
Nix

O'Hara, Mich.
Olsen
O'Neill, Mass.
Pepper
Pickle
Podell
Pollock
Pryor
Pucinski
Purcell
Quillen
Railsback
Resnick
Roberts
Ronan
Rooney, Pa.
Rostenkowski
Scheuer
Selden
Skubitz
Slack
Smith, Iowa
Stephens
Stubblefield
Stuckey
Talcott
Tenzer
Thompson, N.J.
Watkins
Whalley
Whitten
Wilson, Charles H.
Wolff
Wright
Wylder
Wyman
Young
Zion

So the bill was passed.

The Clerk announced the following pairs:

Mr. O'Neill of Massachusetts with Mr. Gerald R. Ford.
Mr. Hébert with Mr. Arends.
Mr. Brasco with Mr. Whalley.
Mr. Addabbo with Mr. Mailliard.
Mr. Tenzer with Mr. Corbett.
Mr. Podell with Mr. King of New York.
Mr. Daniels with Mr. Kupferman.
Mr. Celler with Mr. Laird.
Mr. Gallagher with Mr. Moore.

Mr. Wolff with Mr. Fino.
Mr. Holifield with Mr. Don H. Clausen.
Mr. Pepper with Mr. Davis of Wisconsin.
Mr. Griffin with Mr. Cramer.
Mr. Bingham with Mr. Halpern.
Mr. Jarman with Mr. Talcott.
Mr. Kluczynski with Mr. Quillen.
Mr. Madden with Mr. Halleck.
Mr. Rostenkowski with Mr. Frelinghuysen.
Mr. Whitten with Mrs. Bolton.
Mr. Downing with Mr. Dole.
Mr. Matsunaga with Mr. Skubitz.
Mr. O'Hara of Michigan with Mr. Lloyd.
Mr. Roberts with Mr. Minshall.
Mrs. Kelly with Mr. Morse of Massachusetts.
Mrs. Green of Oregon with Mr. Railsback.
Mr. Dent with Mr. Cunningham.
Mr. Farbstein with Mr. Blackburn.
Mr. Hardy with Mr. Latta.
Mr. Stubblefield with Mr. Pollock.
Mr. Byrne of Pennsylvania with Mr. Wylder.
Mr. Clark with Mr. Goodell.
Mr. Murphy of New York with Mr. Grover.
Mr. Flood with Mr. Gurney.
Mrs. Griffiths with Mr. Wyman.
Mr. Corman with Mr. Gardner.
Mr. Slack with Mr. Lukens.
Mr. Smith of Iowa with Mr. Watkins.
Mr. Fulton of Tennessee with Mr. Hansen of Idaho.
Mr. Edwards of Louisiana with Mr. Zion.
Mrs. Mink with Mr. Button.
Mr. Cabell with Mr. Mize.
Mr. Long of Louisiana with Mr. Daddario.
Mr. Dorn with Mr. Pickle.
Mr. Pucinski with Mr. Dow.
Mr. Resnick with Mr. Diggs.
Mr. Dingell with Mr. Nix.
Mr. Purcell with Mr. Fraser.
Mr. Gray with Mrs. Hansen of Washington.
Mr. Holland with Mr. Scheuer.
Mr. Selden with Mr. Stuckey.
Mr. Pryor with Mr. Ronan.
Mr. Stephens with Mr. Jones of North Carolina.
Mr. Thompson of New Jersey with Mr. Irwin.
Mr. Young with Mr. Charles H. Wilson.
Mr. Wright with Mr. Kee.
Mr. Blanton with Mr. Olsen.
Mr. Karsten with Mr. Conyers.
Mr. Rooney of Pennsylvania with Mr. Herlong.
Mr. Hagan with Mr. Meskill.

Mr. CLEVELAND changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

TRIBUTE TO GOV. LURLEEN BURNS WALLACE

Mr. NICHOLS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. NICHOLS. Mr. Speaker, a week ago tonight death claimed the life of a great Alabamian and a great American. The passing of Gov. Lurleen Burns Wallace, of Alabama, has saddened not only my State, but has brought tears of grief to the eyes of millions of Americans.

Her record as Governor speaks for itself, and it speaks loudly. But it was not her record as chief executive of Alabama, but her record as a brave and courageous

woman which brought to her such universal affection and respect. None of us can truly comprehend the suffering of this great lady during the final months of her life. But her spirit never faltered. And in the final hours, when she knew that the end was near, the prayer which came faltering from her lips was the prayer I know we all hope we will be strong enough to utter when our time comes—"Not my will, but Thine be done."

A great lady is gone, but her influence and inspiration to others will outlive us all.

Mr. Speaker, this article in the May 9 issue of the Birmingham News sums up the feelings of the people of my State as they saw their beloved Governor going to her final resting place:

THOUSANDS SAY LAST FAREWELL TO A
GALLANT LADY

(By Charles Richardson)

The eulogies were read, the tributes were paid, and the tears were shed.

Slowly, carefully, hour by hour, Alabama Friday moved back into the reality that had been taken away from it in the dark hours of a pre-dawn Tuesday.

Behind, left for the judgment of history, lay the brief and saddened tenure of Lurleen Wallace, the woman who was a woman and mother first, and a governor second.

A MUCH ADMIRER WOMAN

And it was the much admired woman rather than the lady governor who went to a final rest in Montgomery Thursday.

It was Gov. Lurleen Wallace who drew the tributes of pomp and circumstance; it was Gov. Wallace who brought to Montgomery a half-dozen Southern governors and other men with titles and positions.

But, in the final analysis, they buried here on Thursday not a governor, as such, but a gallant lady.

That is how she wanted it. That is how she would have wished it.

And, just for their Lurleen, that's the way Alabamians did it on a sun-washed May afternoon.

CASKET VIEWED BY THOUSANDS

Carried to the Capitol rotunda in solemn ceremonies before noon Wednesday, the governor's body was viewed by uncounted thousands.

Hour by hour, with a persistence that defied explanation, they came. On and on, through Wednesday's sunny hours and into darkness and off into Thursday's daylight again, they stood in line.

Some said 20,000. Some said 30,000.

In the end, the figures didn't really matter. That was not what it was all about.

A woman governor—a battler, a scrapper, a dime store clerk made good, a gracious lady; they said it all for lack of something better—had died.

SOMETHING TO BE SAID FOR SYMBOLISM

Maybe Birmingham's Col. Larry Doyle, just following standard military protocol for such occasions, understood better than most what it meant. Maybe there is something to be said for symbolism.

It was Doyle who commanded a flight of five Air National Guard RF84s in a low swoop over Montgomery's Greenwood Cemetery right on time as Mrs. Wallace's casket was placed into position over its grave.

And it was Doyle who eased away from his streaking B-Flight and peeled off abruptly in a wide, right-sweeping arc, leaving the straight line course to his four companions, and, by disappearing, symbolizing to a grieving Alabama the loss of its leader.

And that's what it was: A loss.

It began with death in the first hour of a tragic Tuesday. It ended Thursday around

the middle of a hot afternoon, on a grassy knoll—in the very highest point of a Montgomery's Greenwood Cemetery.

Beside the carillon tower of sand-colored stone, in the very center of the old Capital City's best-known cemetery, Lurleen Burns Wallace came to the end of a notable road.

But not before she had been eulogized in brief and simple ceremonies in the handsome red-brick St. James Methodist Church, in life, she often had sought prayers and guidance.

And the same minister who heard her in life gave the eulogy in death.

Here for the grand hour of final ceremonial respect were many of the great figures of the South.

But it was in the several thousands of mourners, without title or position, who stood in the sun-baked street across from the church and silently said goodbye, that Lurleen Wallace met the final test.

They had come. They cared. They grieved.

Inside, Rev. James Vickers intoned a message. George Wallace, his three oldest children (seven-year-old Janie Lee did not come) and close family members sat stoically throughout.

RANK AND FILE STOOD IN SILENCE

The services read, the respects paid, the silver gray casket was taken out through the church doors once again by the same security guards that had followed the woman for so long.

Around and about the church, back down the sealed off streets and over the lawns and on the neighborhood porches, a rank and file Alabama stood by in silence.

And, mostly in silence, the hearse and the funeral cortege moved the more than two miles to the cemetery where still other thousands had been gathering for hours.

By chartered bus, on foot, by taxi, by private car, by bicycle, they came to the cemetery.

She was buried in "Governor's Circle," a round island of greenery at the highest point in Greenwood Cemetery.

In the future, a cemetery spokesman said, they will bury other governors here if their families wish it. But Lurleen was the first.

Two rows of state troopers moved up around the open grave. A military honor guard of Alabama Air and Army National Guardsmen stood by.

ODOR OF FLOWERS HUNG HEAVY

Stacked in great colorful hundreds, massed tightly to conserve space, the floral offerings ringed Governor's Circle and extended far back down the cemetery streets. The odor of so many thousands of blooms hung heavy on the still afternoon air.

While visiting officialdom gathered around, the immediate family members sat in folding chairs under a pale green canopy erected over the grave.

Ex-Gov. Wallace stared fixed ahead, his left hand clasped tightly over that of his daughter, Peggy, 17, as Rev. Vickers and Methodist Bishop W. Kenneth Goodson said a few final words.

The military honor guard moved up smartly to remove the red and white state flag from the casket, fold it and hand it to Wallace. He held it throughout the rest of the graveside service, and he held it when he left.

One by one, the official mourners pulled away. With officialdom gone, the crowd surged suddenly toward the grave and the still unburied casket for a final look. But, just as quickly, they vanished by twos and threes into the afternoon.

Finally, a burial crew came on a tractor. Slowly, they inched the casket down into the grave.

Somewhere back off in the woods surrounding the cemetery, a Bob White called. The notes, just for a few golden seconds, hung loud and clear on the still air.

DOUBLE STANDARD FOR THE
PEOPLE OF ALABAMA

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. DICKINSON. Mr. Speaker, as I have observed from this podium before, last week was indeed a sad time for the people of Alabama and for millions of people across this country who admired the courage, fortitude, and quiet grace of our beloved Governor, Lurleen Wallace. The State of Alabama went into mourning as it has seldom, if ever, done before. Governor Wallace's funeral was probably the largest funeral ever held in the State of Alabama for a public official. There were at least five State Governors present, several former Governors of neighboring States, as well as the State of Alabama, several Members of this Congress in addition to Alabama's delegation flew to Alabama to attend the services and to pay their respects. The events leading up to the services, as well as the graveside services, were carried on every television station in the State, I believe. The funeral procession, which was intentionally limited, was over 1 mile long. The State and National flags were flown at half-mast all over the State of Alabama.

I mention this as a preface to my remarks in order that things can be put in their correct perspective.

I have in my possession letters from many people complaining about the point I here make, including a letter from Mr. J. E. Bone, president of NFFE Local No. 95, and two newspaper articles all pointing out the fact that all Federal employees were denied administrative leave to attend the funeral of this great and well loved lady. According to the newspaper articles, the Government issued a memorandum at 2:45 p.m., Wednesday, advising its 1,670 employees that they would be granted administrative leave to attend the services at Montgomery on Thursday. Then, at 4:20 p.m., a countermanding memorandum was received. It said that in order to take time off, the time would be charged against the workers' 30-day annual vacation leave.

It is my belief that the letter sent to me by Mr. J. E. Bone, president of NFFE Local No. 95, accurately states the facts and the feelings of a majority of the people in this country. If Federal offices can close for Mardi Gras in New Orleans, and for various occasions in other States, including a national holiday of mourning with administrative leave on the death of Martin Luther King, then certainly it is ridiculous that the Federal employees who are citizens of Alabama would not be allowed administrative leave to attend the funeral of their Governor. It is difficult for me to even equate the two.

I am calling on whatever office is responsible for an explanation, and I trust that when all of the facts are known we will learn who canceled the leave once it was authorized and why, and I trust this is not just one more example of the

double standard to which the people of Alabama have been subjected for so long a time by the Federal Government.

The letter which I received from Mr. Bone, and which is referred to above, reads as follows:

PRATTVILLE, ALA.,
May 10, 1968.

HON. WILLIAM DICKINSON,
House of Representatives,
Washington, D.C.

DEAR MR. DICKINSON: As President of NFFE Local No. 95, Montgomery, Alabama, I vehemently protest the unprecedented and flagrant decision of the Civil Service Commission's order that Federal employees of Alabama be denied the observance and attendance of the funeral of our Governor, Mrs. Lurleen B. Wallace. I ask you in the name of common decency to bring this matter to the attention of the proper authorities.

The employees represented by my Local forfeit thousands of hours of annual leave every year—not because they are not permitted to take leave, but because of their pride in their work and a desire to see that the job for which we are paid is done.

The entire business community, even restaurants, closed in respect to our Governor. The open Federal installations stuck out like a sore thumb as thousands and thousands of Alabamians and people from across the nation were present.

The reason given for the shameful and vulgar act was that it would establish a precedent and would result in the closing of Federal offices all over the country should the Head of State die. I need not remind you that only one Governor from this state has died in office in the past 67 years. I know you are aware of the fact that Federal offices close in New Orleans for Mardi Gras, and, of course, there is the matter of the Martin Luther King bit.

Every employee of my Local is an honest, law abiding public servant. We don't mind facing the public's hostile attitude when they are reminded that some Federal employees burned, looted, rioted and helped sack the Nation's Capital without reprisals; but we resent, deeply and completely, the flagrant disregard of our rights as citizens of the communities in which we live. No less than a public apology by the persons responsible (not some knock-kneed partisan politician) to the people of Alabama should be demanded.

Sincerely yours,

J. E. BONE,
President, NFFE Local No. 95.

TRIBUTE TO THE HONORABLE PAUL C. JONES

Mr. HUNGATE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HUNGATE. Mr. Speaker, yesterday marks 4 years ago that we in Missouri lost a great Representative, Congressman Clarence Cannon. With that we lost approximately 42 years of seniority. We are accomplishing that again this time through the retirement of our distinguished colleagues FRANK KARSTEN and PAUL C. JONES.

In accordance with this, Senator Frank Briggs has written a very worthwhile article on the services rendered by our colleague PAUL C. JONES and the

service he has known with him as a newspaperman and as a State senator and as a Congressman in Washington.

Mr. Speaker, I will insert that in the Record at this point:

IT SEEMS TO BE
(By Frank P. Briggs)

I cannot allow the Hon. Paul C. Jones to retire as congressman from the Tenth Missouri district without paying my personal tribute to him and to his services.

Paul and I have run sorta' clockwise together for a long time, both serving as newspaper editors, both serving as Missouri State Senators and both having a hitch in congress. He has served much longer in the congress than I, but we have remained close friends during his tenure.

There are few men in the congress like Paul C. Jones. He speaks and votes his own mind and conscience and the sway of politics nor the sway of hysteria causes him to veer from the path of right as he sees it.

He has always been like that. He was like that as a newspaperman. He was like that as a state legislator and he remains like that as he chooses to retire from the congress.

Secretary of State Jimmy Kirkpatrick said of Paul "he is frankness, courage and honesty all wrapped up in one small package"—a true appraisal of the congressman and Congressman Poage added, "Paul has proven himself a great congressman and he and Ethel (Mrs. Jones) are wonderful friends and neighbors. We will miss them and congress will be the poorer when they retire."

You really learn to know a man when the chips are down, the door closed and action taken is that of the man himself, not of the window dressed man. I served on several state committees with Paul, I know his innate worth and his sterling character and I shall miss him greatly as he leaves congress.

FISHING INDUSTRY NEEDS IMPORT CEILING

Mr. PELLY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PELLY. Mr. Speaker, because it would provide needed relief to the American fishing industry, I am joining the distinguished gentleman from Florida [Mr. HERLONG] in sponsoring an omnibus quotas bill which would limit import expansion of foreign products to protect our domestic economy.

It is not necessary, Mr. Speaker, for me to remind the Members of the House that the U.S. fishing industry to our economy and as a supply of food has great importance to the people of this country.

However, it is not generally recognized that over the past several years the fishing industry has experienced economic difficulties resulting in gradual deterioration which now have reached a critical stage. This plight is borne out by the statistics on our fishing fleet. The U.S. fishing fleet averages 20 years old. Over half of these vessels are between 16 and 45 years. There are 250 vessels which are more than 55 years old. And the average age has increased almost a year every 2 years over the last 10 years.

What has been going on is that world

production of fish has increased from 40 billion pounds in 1948 to 125 billion pounds in 1967 while in the same period the United States dropped from second place to sixth as a world producer. In 1966 our production was 4.3 billion pounds, our lowest since 1943. Our 1967 production declined an additional 300 million pounds.

While our domestic production has been decreasing, our consumption of fish is at an alltime high. In 1958 we produced 80 percent of our domestic needs; now we only produce 29 percent and the balance of 71 percent consists of ever-increasing imports from some 116 nations. By supplying the major market in the world for foreign seafood products we are subsidizing and supporting the improvement and expansion of foreign fishing fleets and encouraging the invasion and destruction of fishery resources in the very waters immediately adjacent to our coast. As a result the economy of fishermen as well as the economy of the entire country is being detrimentally affected by the heavy flow of imported and often inferior foreign seafood products.

Mr. Speaker, I never have taken a narrow position that we should shut off all foreign imports, but I have opposed—and strongly so—foreign dumping and the destruction of high-living standards in the domestic economy.

It seems to me, the provision in the new Herlong-Pelly bill is not unreasonable in that the limitations in the bill allow importations to share in equal proportion to the growth of the American market.

And this proposed legislation has a reasonable formula for establishing ceilings and then only after investigations and public hearings by the Tariff Commission and certification as to competitive disadvantage. It first establishes a fair share of domestic consumption to be supplied by imports where justified.

Mr. Speaker, the United States has furnished technical assistance, loans, and outright gifts to foreign fisheries, and many of these have been in direct competition to our own citizens. We have signed favorable trade agreements which furnished an almost unlimited market for foreign countries. Now we have further removed and reduced tariffs under GATT which will surely increase imports above the 71-percent level of our present consumption of foreign fish products.

It seems to me, however little and late such action is, it is now time to draw the line and at least follow a national policy that would prevent the complete saturation of the American market with foreign imports.

Therefore, I urge my colleagues whose industries have similar problems to support this omnibus quotas program for limited protection by sharing our domestic market rather than abandoning it to foreigners.

HIGH-SPEED RAIL OPERATIONS

Mr. ROTH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Delaware?

There was no objection.

Mr. ROTH. Mr. Speaker, sometime back I introduced H.R. 15453, a bill to eliminate all rail-highway grade crossings on the right-of-way to be used by the demonstration high-speed train when it begins operation. My bill is identical to one previously introduced by the gentleman from Maryland [Mr. LONG].

Briefly, the purpose of the bill is to enable the Federal Government, through the Department of Transportation, to financially assist States through which the high-speed train will run to remove dangerous grade crossings. Funds for this purpose would be in addition to, not a part of the State's regular highway fund allocation. Existing statutes and regulations governing the use of such funds and the applicable construction standards would be unaffected by this bill.

Initially, the train was to begin operation in October 1967. Due to technical problems with the train, itself, operation was put off until last month, but, due to continuing problems, the starting date was again rescheduled and no target date assigned. To its credit, the Pennsylvania Railroad—now Penn-Central—did proceed to improve the track and install safety devices where they did not exist before.

The installation of crossing gates and the recirculating of warning systems is, indeed, a forward step toward grade-crossing safety. But, crossing gates are, at best, an imperfect solution to an important problem. Gates and flashing lights are subject to failure, due either to mechanical malfunction or the effects of weather. Moreover, they interrupt the flow of highway traffic, and can be bypassed by foolhardy motorists.

When the high-speed train begins operation, the speeds will not significantly exceed that of trains now in use. But, the train does possess the capability to travel at higher speed, and it is to be expected that in time speeds will be increased. We are all familiar with the terrible damage to a car and its occupants in a train-car collision, but, to my knowledge, no in-depth study has been given the effects of such an accident passengers.

Admittedly, the purpose of the high-speed demonstration project is not solely to develop faster trains. More importantly, I believe, it seeks to show the way to increased rail passenger traffic, attracting riders by offering greater comfort, better service, and regular and convenient schedules. In view of the growing transportation problems of the northeastern megalopolis, it is vital that the capabilities of all transportation modes be developed to the fullest, and I regard the high-speed project as an important aspect of the total effort.

There are, at present, four undivided grade crossings on the high-speed track in Delaware. Recently, however, the State highway department announced plans to improve one road, including the construction of a divided crossing over

the Penn-Central tracks. I would point out, also, that the high-speed track—and the B. & O. track which runs roughly parallel a mile or two to the north—traverse a heavily populated and rapidly growing part of northern Delaware. Where once there were open fields and little highway traffic, now there are scores of suburban communities and developments and a commensurate increase in road traffic serving them.

Mr. Speaker, my bill, H.R. 15453, enjoys broad support among elected and appointed officials of the State of Delaware, as well as the general public. I would like to place in the RECORD at this point as part of my remarks copies of letters I have received from the Governor of Delaware, Charles L. Terry, Jr., and the director of operations of the State highway department, Ernest A. Davidson:

STATE OF DELAWARE,
EXECUTIVE DEPARTMENT,
Dover, Del., March 8, 1968.

HON. WILLIAM V. ROTH,
House Office Building,
Washington, D.C.

DEAR BILL: Your proposal to eliminate grade crossings along the high-speed rail line between Washington and New York has my wholehearted endorsement and support.

I congratulate you for introducing H.R. 15453, and I hope your colleagues will join you in passing it into law.

If I may be of any assistance, please feel free to be in touch with me.

Sincerely,

CHARLES L. TERRY, JR.,
Governor.

STATE OF DELAWARE,
STATE HIGHWAY DEPARTMENT,
Dover, Del., March 4, 1968.

HON. WILLIAM V. ROTH, JR.,
House Office Building,
Washington, D.C.

DEAR MR. ROTH: We certainly were happy to learn that you had introduced H.R. 15453.

This matter of the crossings on the high-speed rail line in Delaware has given us a lot of concern. We have attended two meetings with various Federal, State and railroad officials in Delaware, one in Washington and another scheduled in Washington with the Department of Transportation on March 12th. To date it seems that the only positive results are that no one has any funds with which to do anything constructive.

There have been several suggestions about advance flashing signs and that type of thing, but those of us who are close to the problem don't think this approach is the right solution.

Without benefit of any detailed studies, we would estimate that the cost of separating grade in the four locations in Delaware would approximate two and a half to three million dollars, keeping in mind of course, a certain amount of approach work has to be done in each case.

We are certainly interested in your Bill and we wish you success. If there is anything else we can do, don't hesitate to drop us a line.

Yours very truly,

ERNEST A. DAVIDSON,
Director.

In addition, Mr. Speaker, State Senator Margaret R. Manning and State Representative William F. Hart have been active in urging quick action to eliminate the four hazardous grade crossings, and have expressed their own support for this proposal.

PATRIOTISM

Mr. POFF. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. POFF. Mr. Speaker, on Saturday last, while attending the 28th annual celebration of Nelson County Day at Lovingson, Va., it was my happy privilege to present awards to winners of the Nelson County Day Essay on Patriotism Contest.

So impressed was I with the winning essay written by Sandra Carol Hesson, daughter of Mr. and Mrs. John Hesson of Gladstone, Va., that I want to read her essay into the RECORD at this point. Miss Hesson is in the fourth grade at the Gladstone Elementary School and her appreciation of her heritage gives me renewed confidence that the majority of our young people today will make outstanding leaders of our Nation tomorrow.

Her essay follows:

ESSAY BY SANDRA CAROL HESSON, GRADE 4,
GLADSTONE ELEMENTARY SCHOOL, CATEGORY
A FIRST PLACE WINNER

1. Meaning of patriotism
2. Examples of early patriots
3. Example of later patriot
4. Opposite of patriotism
5. Patriotism and us

What is patriotism? The dictionary defines it as, "love and loyalty or zealous support of one's own country." Every citizen should be eager to do his part in keeping the United States of America the great country that it is today.

We often read about the patriots of early America. How George Washington sacrificed his own private life to become our first president. How Thomas Jefferson worked so hard to improve ways of farming and education. And, how Abraham Lincoln freed the slaves.

Later, at the beginning of the second World War, a young American army captain, named Colin Kelly, proved his love for his native land. He was the pilot of a bomber that was hit by enemy fire. After ordering his crew to bail out, he guided his plane straight into a Japanese boat. He was killed but that was the end of the battleship and all who were aboard.

However, there always has been and always will be, those who think more of themselves than of what's best for the land in which they are living. And there seems to be quite a few. The hippies, that we now hear about, are an example. They care nothing about the laws we have that are so necessary to have a good society. These people are definitely not patriotic.

Therefore, let us not copy the modern hippies, but be like the brave men who worked and died for our country. If we were put to a test, could we truthfully say the same words that Nathan Hale spoke when he was sentenced to die by the British for being a spy. The encyclopedia quotes him as saying, "I only regret that I have but one life to lose for my country." He and the other courageous men mentioned, have demonstrated the real meaning of American patriotism.

CONSTITUENTS WARNED: STAY HOME THIS SUMMER

Mr. WAGGONER. Mr. Speaker, I ask unanimous consent to address the

House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WAGGONER. Mr. Speaker, I would not be sensitive to my responsibility as a Member of the Congress if I failed to warn my constituents that they should not plan to visit the Nation's Capital this summer. It is not safe on the streets at any hour of the day or evening, singly or in groups. With tens of thousands of so-called poor people, dressed out in costumes symbolic of poverty, riding on mules that had to be flown in for their character parts in the farce, pouring into Washington every day, lawlessness threatens everyone who enters the city.

Even without this new contingent with their obvious intent of inflaming violence, Washington is unsafe for anyone. With this mob of agitators and shiftless, professional indigents added, it will be a miracle if the streets are not covered with blood before the summer is over.

Four minor stories clipped from a single page of this morning's Washington Post describes a typical day in the Capital. Of course, it should be understood that only a sprinkling of these terrible incidents are reported in the paper and these four items are just a sample of what goes on here. With an alarming breakdown in law and order being experienced here, I feel obligated to warn my constituents to go elsewhere this summer. Perhaps sometime in the future it may be safe to walk the streets here in the Capital, but there is no indication that the extremists and liberal cranks now in control intend for it to be anytime soon.

The articles follow:

NUDE ATTACKS POLICEMAN BEFORE BULLET STOPS HIM

A naked man smashed part of a police car and then beat its driver into near unconsciousness on Pennsylvania Avenue early yesterday before the officer finally stopped him with a bullet in the abdomen, police said.

Gerald J. Ramos, 29, listed at 1708 N. Quincy st., Arlington, was treated for a gunshot wound at George Washington University Hospital, and charged with assault on an officer and destroying District property.

The officer, Pvt. Charles J. Litner, 25, of the Third precinct was admitted to Washington Hospital Center for observation.

According to police, this is how it happened:

A man undressed and left his clothes in Lafayette Park. He then ran naked down H Street n.w., to the corner of Pennsylvania Avenue and 19th Street, where Pvt. Litner saw him at 4:15 a.m.

The officer began to interrogate the suspect. But before questioning was completed, the suspect leaped onto the roof of the patrol car and smashed the dome light with a karate chop.

Litner dragged him down, but the man began to pummel Litner about the back. Then he kicked Litner in the groin.

Feeling that he was about to lose consciousness, Litner drew his service revolver and fired a single shot, hitting the man in the lower abdomen.

INTRUDER IN APARTMENT RAPES NORTHEAST WOMAN

A 20-year-old far Northeast woman was raped at about 4:10 a.m. yesterday morn-

ing by a gunman who broke into her apartment through a window, police said.

The woman told police that she was awakened by someone breaking in and saw a man who showed her a .38 revolver and told her "Keep your mouth shut and you and the kids won't get hurt." Her two children were asleep in another room.

The man raped her and left, after telling her that he and another man, whom she never saw, had just committed a robbery and wanted to stay in the apartment for a time to elude police.

GIRL, 14, IS RAPED IN CARDOZO AREA

A 14-year old Cardozo area girl told police she was raped Saturday night in a neighborhood basement where she had gone with a girl friend and some youths after visiting a nearby United Planning Organization Youth Center.

Police said the youths grabbed both girls, once they entered the basement but one escaped. The 14-year old was later treated for laceration of the right eye at D.C. General Hospital.

WOMAN IS ROBBED AND RAPED IN NORTHEAST

A 42-year old woman was raped and robbed at gunpoint about 11 p.m. Saturday night in the 700 block of Division Avenue, n.e., police said.

They said she was looking for her 17-year-old son when a man pointed a gun at her, took 14 dollars then forced her into a vacant lot, where he raped her. She was treated at D.C. General Hospital for a cut knee and released.

POOR PEOPLE'S MARCH

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. McMILLAN. Mr. Speaker, my mail indicates that the people in my district and entire United States are very much distressed over the fact that a permit was granted for the so-called poor people to build tents on Government property when only a few years ago veterans of World War I were pushed off all Government property by the U.S. Cavalry.

I insert a letter I have sent to the President on this subject:

MAY 13, 1968.

HON. LYNDON B. JOHNSON,
The President,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: I have just returned from the State of South Carolina after campaigning for one week. The chief topic of discussion with practically every person I talked to was the lack of law enforcement in Washington and the so-called poor peoples' march to Washington, which was a name created after the death of Martin Luther King.

My constituents cannot understand how these people secured a permit to park on government property where the government has spent hundreds of thousands of dollars clearing off debris and planting grass on this property. Also, they cannot understand the fact that the U.S. Cavalry, led by the late General McArthur, moved all World War I veterans off government property, without showing any mercy, when they came to Washington and parked some years ago. I was in Washington at that time serving as Clerk to the Pension Committee and remember seeing this with my own eyes. I don't

see how our government can explain this discrimination.

This group, and any other group I presume, has a right to march and petition the Congress of the United States; however, I do not think we have a right to park on government property indefinitely in an effort to coerce the Congress of the United States. I presume I came to Congress with the wrong impression of the Nation's Capital as all the history I have ever read concerning the ten-mile square here known as the District of Columbia is that it was created as a Federal site for the purpose of housing the seat of the government and protecting the United States Congress, as this ten-mile square was staked out immediately after Congress was run out of Philadelphia where it had no police protection.

I would appreciate it if you would have someone give me some answers to my letter before I leave for South Carolina later this week.

With kindest regards, I am

Sincerely yours,

JOHN L. McMILLAN.

PERSONAL ANNOUNCEMENT

Mr. DULSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DULSKI. Mr. Speaker, I did not attend the session last Friday because of business in my home district. If I had been present, I would have voted "yea" on rollcalls No. 132 and No. 133.

TRANSPORTATION AND SALE OF FIREARMS

The SPEAKER. Under previous order of the House, the gentleman from Michigan [Mr. DINGELL] is recognized for 60 minutes.

Mr. DINGELL. Mr. Speaker, when this House adopted House Resolution 1100 on April 10 it wrote into the Civil Rights Act some provisions about the transportation and sale of firearms which were ill considered and, I believe, unenforceable. They will create unnecessary trouble for policemen as well as sportsmen, and they will do nothing at all to prevent rioting or violence in the streets.

I tried in vain to prevent this folly by appearing before the House Rules Committee and urging that House and Senate conferees have a chance to revise the Senate amendments to the House civil rights bill and create a more practical piece of legislation.

When the Rules Committee did not heed, I even went to the length of voting against the previous question on the floor, to enable removal of this section which I regarded as extremely dangerous and poorly drafted, although I have always supported civil rights legislation and supported this bill. That attempt to cure some of the defects in the civil rights legislation failed too, whereupon I voted for the bill, resolved to try removal of the section at a later date.

Today I am introducing a one paragraph bill proposing to strike out the words "or having reason to know" where it appears in paragraphs (1) and (2) of subsection (a) of section 231 of title 18, United States Code. This will not com-

pletely cure the defects in this section of the measure, but it will greatly help.

The new law makes it a crime to teach or demonstrate the use or making of firearms, or explosives, or incendiaries, or techniques capable of causing injury, knowing or having reason to know such devices will be used unlawfully in a civil disorder adversely affecting commerce or the performance of a federally protected function.

The phrase "having reason to know" puts an impossible burden upon salesmen of sporting rifles and shotguns, on marksmanship teachers including police assigned to instruct civilians, on instructors in judo, karate, or other forms of self-defense, and so far as I can see, even on boxing instructors. Scoutmasters, instructors in boys' clubs, and others innocently working with youth in athletic and sportsmanship programs could act at great peril under the language of the bill as enacted. I am sure that the persons who prepared the language were thinking of incendiary bombs and zip guns, but the actual words used are what counts, and they go much farther.

The enforcement of this kind of provision can be done on much less than proof of intent. All that is required is that the defendant had reason to believe that the information imparted by him would be utilized in the course of a riot. The existence of the provision can lead to indictments and charges that can destroy an innocent reputation. That it will be used that way in times of stress and passion may well lead to misapplication. I feel that this provision is unfair and dangerous. It does not truly reflect the considered opinions of the Members of this House, or of the American people as a whole.

AUTHORIZING FEDERAL HOME LOAN BANK BOARD TO APPOINT FSLIC AS RECEIVER FOR STATE-CHARTERED INSTITUTIONS

Mr. ANNUNZIO. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, I have introduced a companion bill to S. 3436, which was introduced in the Senate on May 3, 1968. This legislation would authorize the Federal Home Loan Bank Board to appoint the Federal Savings and Loan Insurance Corporation as receiver for State-chartered institutions insured by the FSLIC if the Board determined that such an appointment was in the public interest, and that either a legal custodian had been appointed for the institution or it had been closed by or under State law.

Under the law governing the insurance of savings and loan accounts, a default must occur before the FSLIC can pay holders of insured accounts. A default occurs when a legal custodian is appointed for an insured institution for the purpose of liquidation.

The legislation is designed to accomplish two objectives. First, it would en-

able the Board to prevent an insured institution from being held indefinitely in a situation where it was not meeting the withdrawal requests of savers, either because it had been closed or because a legal custodian had been appointed, but no default had occurred. The appointment of the FSLIC as receiver by the Board would constitute a default and would enable the FSLIC to pay savers the amount of their insured accounts. Second, the legislation would permit the FSLIC to obtain control of the assets of an insured institution in default and enable it to protect its interests as insurer, including return of its funds within a reasonable period of time.

On April 23, 1968, I made some remarks before the House concerning problems with which the Federal Savings and Loan Insurance Corporation was confronted in my home State of Illinois. I pointed out that over 3 years ago the State took control of Marshall Savings & Loan Association in Riverside, Ill., and that after paying out more than \$83 million from its insurance fund, the FSLIC does not know the extent of the liquidation, if any, of the assets of Marshall. The FSLIC does assume that some mortgage principal payments have been made.

Since making my remarks on April 23, two more large State-chartered savings and loan associations insured by the FSLIC have been closed. Those are Lawn Savings & Loan Association in Evergreen Park, Ill., and Apollo Savings Association on Michigan Avenue, in Chicago's near Northside area. The FSLIC is in the process of paying out over \$100 million to the savers in those two associations.

However, the State has appointed one receiver and two deputy receivers to liquidate the assets of these institutions. Although the FSLIC will pay out over \$100 million of its funds, and will be by far the largest claimant in the receivership, it will have absolutely nothing to say about the liquidation of the assets and no control over when its money will be returned.

It is true that the question of State and Federal relations is involved in the legislation. However, I firmly believe that if any such large sums are being expended from an insurance fund under the control of a Federal agency, it is the duty of the Congress to protect the liquidity of the insurance fund.

For these reasons, I am pleased to introduce in this House a companion bill to S. 3436. I understand that hearings on the Senate bill have been scheduled for May 20, 1968, and I hope this legislation can be enacted before the adjournment of this Congress.

THE GOOD WORK OF GOODWILL

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, no one will challenge the need for the success of Goodwill Industries. Everyone appre-

ciates its aims and accomplishments. All of us would like to help it grow. Too many times, however, the best of intentions remain inanimate for want of encouragement.

A reminder to pitch in comes with Goodwill Week, May 5 to 11. To those who may have been remiss in doing their part, now would be an opportune time to begin making up for lost time or just plain thoughtlessness.

Giving repairable materials to Goodwill is a way to start, thus participating in the work of helping to repair many an unfortunate human being—to provide rehabilitation of handicapped persons and aid in making them more useful members of the community. Your gifts can go a long way toward establishing opportunity for victims of physical or mental illness or of social maladjustment.

Cash, too, is needed. Whatever the amount, it will be used with maximum discretion and efficiency in furthering the purposes of a humanitarian organization to which every member of our society is indebted.

Goodwill Industries of Conemaugh Valley, Inc., with headquarters in Johnstown, is appreciated by residents of our area. Today is the day that all who can should resolve to participate actively in the program, then follow up with enthusiastic support.

Goodwill deserves a hand. It never fails to lend one.

DEATH OF GOVERNOR WALLACE

Mr. NICHOLS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. NICHOLS. Mr. Speaker, the people of my State were moved very deeply by the death of our beloved Gov. Lurleen Wallace. They were also deeply disturbed and offended by some of the policies of the Federal Government with respect to funeral services for the Governor. Only a month ago when Martin Luther King was buried, most Federal agencies granted time off without charge to leave for those employees who wished to attend the services.

Yet no such gesture was made for Governor Wallace. I was in Montgomery as funeral plans were being made, and numerous Federal employees asked me if they were to be accorded leave to attend. I contacted the White House here in Washington and asked that Federal employees in Alabama be given equal treatment so that they might pay their respects to their Governor.

For the RECORD, here is my telegram to President Johnson:

Respectfully request that all Federal employees in Alabama be allowed to attend services for Governor Lurleen Wallace Thursday without charge against leave as was allowed for Dr. King's funeral.

I received the following reply from the White House:

THE WHITE HOUSE,
Washington, D.C., May 8, 1968.

HON. BILL NICHOLS,
House of Representatives,
Washington, D.C.

DEAR BILL: This will acknowledge your telegram to the President asking that official leave be granted Federal employees in Alabama to attend the funeral of Governor Lurleen Wallace.

We have checked with the Civil Service Commission and they tell us there is no precedent for this and that official leave was not granted by the Commission for Dr. King's funeral.

Sincerely,

BAREFOOT SANDERS,
Legislative Counsel to the President.

It is true, Mr. Speaker, that the Civil Service Commission did not grant leave. But individual agencies of the Federal Government did. Here is the text of a telegram sent through the General Services Administration to agencies under the Department of Agriculture:

The Secretaries office has requested us to advise you that any employee wishing to attend memorial services for Dr. Martin Luther King, Jr., on Tuesday, April 9, 1968, may be excused without charge to leave.

Likewise, military bases allowed civilian personnel time off without leave. The following is a telegram sent to local commanders by the Defense Department:

Local commanders are authorized to grant a reasonable amount of administrative leave to civilian employees who desire to attend or participate in memorial services conducted on Tuesday, April 9, 1968, for Dr. Martin Luther King. Determination as to what constitutes a reasonable amount of administrative leave will be made by local commanders in consideration of local circumstances. For those employees who desire to be absent on April 9, 1968, for more time than determined reasonable amount of time a liberal policy granting annual leave in lieu of administrative leave will apply.

But for Governor Wallace's funeral, only a liberal leave policy was granted. Excused absences were explicitly prohibited.

Mr. Speaker, these Federal employees were not asking for any special favors. They were only asking that they be given equal treatment by the Government so that they might pay their respects to the Governor they loved so much. I am going to continue to seek an answer to why this gesture was not extended to Federal employees in Alabama. This letter from some 200 employees at the Anniston Army Depot sums up the feelings of many employees who feel they were not given fair treatment in this matter:

ANNISTON, ALA.,
May 9, 1968.

HON. BILL NICHOLS,
House of Representatives,
Washington, D.C.

DEAR MR. NICHOLS: We employees of Anniston Army Depot, deeply regret the death of our beloved Governor Lurleen B. Wallace.

We are deeply hurt and very much concerned about the lack of respect shown our Governor by the Federal Government.

To place a trouble maker like Martin Luther King above Mrs. Wallace is like a slap in the face to the people of this country and especially the people of Alabama.

We would like to know how Martin Luther King could be considered a national official

of any kind? He held no public office or position. We are sure he is not the first Pulitzer Prize winner to pass away; yet it was the first time we were given *excused leave* by the Federal Government to pay our last respects. (We did not.)

To us the undersigned, our Federal Government needs a complete overhaul, and it will have to start with honest, God fearing men like yourself.

We would very much like for you to make a public statement letting the people of Alabama and the nation know your feelings in this matter.

You are only one man, we realize this, but the President is also only one man yet he has power.

With God's help and the support of all honest people, this type of discrimination can be eliminated in the future.

Sincerely yours,

Manley L. Wildman, Tom P. McGinnis,
Pat Smith, John C. Juerd, Jr.,
Harold M. Mooneyham, M. G. Louise
Dickie, Paul W. Crockett, Grady H.
Johnson, Faye Catney, James E. Hawkins,
Marcko Bollaro, B. W. Hethcar,
E. D. Lovelady, Alta Parker, Bill Brock,
Jimmie Lindsay, C. W. Cox, John
Dempsey, Clifford Mc Clus.

TRAVELING PUBLIC NEEDS PROTECTION OF ICC

Mr. PELLY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PELLY. Mr. Speaker, intercity passenger trains number only 650 today as against 20,000 in 1929. During the last 6 months of 1967 alone some 75 trains were discontinued and applications to abandon over 100 more are pending before the ICC.

An editorial in this morning's New York Times which I have asked unanimous consent to include herewith, points up that it is the ICC's duty to stop pampering the railroads it is supposed to regulate and instead to protect the defenseless traveling public.

The letter follows:

HOTFOOT FOR THE ICC

The Interstate Commerce Commission awoke from its torpor long enough last week to authorize the discontinuance of a few more of the country's vanishing fleet of blue-ribbon passenger trains. The Santa Fe was allowed to drop its Chicago-Los Angeles streamliner, the Chief; the Chesapeake & Ohio got permission to kill the Fast Flying Virginian and the Sportsman on the Washington-Cincinnati run.

It is all part of a dismally familiar story for the I.C.C., the oldest of the Federal regulatory agencies and—except for the Federal Communications Commission, which nominally regulates the radio and television industry—the sleepest and least effectual.

Made up of eleven commissioners who rotate the chairmanship each year, the I.C.C. has a shifting membership, no executive head and few consistent policies. Its protracted procedures sometimes irritate the railroads, buslines and trucking companies, but these private interests much prefer to suffer its fussy inconsequence than to deal with a small, reformed agency which might aggressively defend the public interest.

The scorching report of John S. Messer, the

hearing examiner in a case involving a reduction of service standards by the Southern Pacific, is nothing less than an indictment of the commission for neglect of duty. Its failure to protect the traveling public against the exploitation of railroad managers is boldly set forth.

It is astonishing to learn that the commission has never formulated minimum standards for passenger service. Instead, the commission has supinely cooperated with those railroads which have wished to discontinue passenger service and concentrate on their more profitable freight service. Railroads are not ordinary business firms; they are quasi-public corporations endowed with enormous land grants and the power of eminent domain in order to perform a specific service. That service is to provide transportation for persons and goods.

Passenger service sometimes incurs a deficit, although the railroads exaggerate their losses, as the Southern Pacific did in this case; but the I.C.C. already takes the passenger deficit into account in setting (and raising) freight rates.

Railroad companies have developed the propaganda myth that maintenance of passenger service is a matter of interest only to a dwindling number of train buffs. In reality, ninety-eight million passengers, not counting daily commuters, traveled on intercity trains last year. Rather than dwindling, the number of rail passengers is likely to rise in the coming decade as highway and airplane congestion worsens. If highway traffic triples in the near future, as experts expect, the immensely expensive interstate highway system now being built will not be able to sustain the burden.

A functioning network of passenger railroads connecting major points in this nation is not a matter of nostalgia and romance; it is a practical necessity. The first duty of the I.C.C. is to stop finding excuses for discontinuance of service and act upon the recommendations of this landmark report. If the preservation of adequate service ultimately requires government reforms, that is the responsibility of the President, the Department of Transportation, and especially of the Congress. The I.C.C.'s duty is to stop pampering the railroads it is supposed to regulate and to begin protecting the defenseless traveling public.

LEGISLATIVE QUESTIONNAIRE AND REPORT NEWSLETTER OF HONORABLE JAMES V. SMITH OF OKLAHOMA

Mr. SMITH of Oklahoma. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. SMITH of Oklahoma. Mr. Speaker, I am enclosing for the RECORD a sample of my 1968 legislative questionnaire and report newsletter through which I hope to inform my constituents of the serious issues before the 90th Congress, and as well gain their opinions on some of the more salient issues.

This year, I am using a new type of questionnaire which I hope will be most easily computed so that my constituents' opinions will be more quickly realized. I am sending the same questionnaire to approximately 4,000 college students in order that the young people within the District will as well have an opportunity to give me their opinions.

The questionnaire and report follow:

CONGRESSMAN JAMES V. SMITH REQUESTS YOUR
OPINION, MARCH 1968

Dear Friends: I am using this new method of questionnaire this year, and I invite and urge you to participate.

On the other side of this card are listed a few of the issues facing our Nation. Your opinions will be of great value in directing my efforts in your behalf. I am asking for your cooperation as I feel it is our job to work together for a better and stronger America.

If you will be kind enough to indicate your opinions, following the instructions, I shall appreciate it very much.

Sincerely,

JAMES V. SMITH,
Member of Congress.

INSTRUCTIONS

Please read questions on the other side of this card carefully and decide on an answer. Push out appropriate box with a sharp pencil. Remove punch tab from back of card. Please place this card in a stamped envelope and return to Congressman James V. Smith, 1632 Longworth Building, Washington, D.C. 20515.

(Check one)

— (Mr. & Mrs.)

— (Mr.)

— (Mrs.)

— (Miss)

(Please print
name & address)

Name _____
Address _____

(Do not bend, spindle, or mutilate card)

- | | | | |
|---|--------------------------|--------------------------|---------------------------------|
| 1. Do you approve of the President's conduct of the Vietnam war? | Yes | No | Unde- |
| | <input type="checkbox"/> | <input type="checkbox"/> | ecided <input type="checkbox"/> |
| 2. In North Vietnam, do you favor..... | | | |
| (a) intensified U.S. air attacks | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| (b) a bombing halt | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| (c) maintaining air attacks at the present level? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Should the United States continue to trade with nations that are aiding North Vietnam? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Do you believe the Government gives the American people enough vital information on what it is doing? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Do you support the administration's proposed increase in taxes? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. Do you believe that Federal spending on domestic programs should be reduced in view of our present situation? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 7. Do you favor returning a percentage of the tax money collected by the Federal Government to State and local governments to be used as they see fit, as opposed to direct Federal aid to local communities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 8. Should the Federal Government enact legislation to ban all mail-order sales of firearms? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 9. In dealing with civil disorder, do you favor..... | | | |
| (a) stricter handling of rioters and demonstrators by police and the courts. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| (b) more programs for improvement of slum areas? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 10. Do you agree with a recent Supreme Court decision which allows Communists to work in defense plants? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 11. Would you favor Government insured loans for rural homes, which FHA and VA now extend to city dwellers? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

CONGRESSMAN JAMES V. SMITH, OF OKLAHOMA,
REPORTS FROM WASHINGTON

MARCH 1968.

DEAR FRIENDS: As Congress begins its work in the new session, America is challenged at home and abroad. I have no doubt that we are equal to the challenge, but it will require dedication, cooperation and sacrifice from all Americans.

But to do that, we must know the facts. If Americans cannot have faith in the accuracy of their Government's statements, the whole structure of our system is undermined.

As your Representative, I renew my pledge to each and every one of you to do my utmost to determine what is best and to do what is best for our District, our State and our Nation.

The President's budget calls for new spending authority totaling \$201,700,000,000, the first time in the Nation's history such a request has exceeded \$200 billion.

Most of us have no conception of how much \$1 billion is, much less \$200 billion. But when the cost of living goes up, it hits where we can all feel it—in the wallet. That's why I am against a tax increase until more prudence is exercised in Government spending.

And because to the community suffering a drought, little else seems as important as access to an adequate supply of water; and to the community facing excess unemployment, nothing is more desirable than new industry with a healthy payroll—because of these and many more problems facing us, I am putting my shoulder to the wheel to do what I can, and to bear my responsibility as your Representative.

I am enclosing a questionnaire seeking your opinion on several issues. Your cooperation in filling it out and returning it to me will be of great assistance.

LEGISLATIVE RESPONSIBILITY

I have strongly supported any legislation designed to reverse the trend toward increasing the power of the Federal Government, and I have done everything possible to keep down nonessential Government spending. There are times the most important accomplishments are the bills you help defeat and

the line you help hold on an extravagant Administration.

I have introduced 28 bills of which four have passed (an Anti-Riot bill; provision for an Ethics Committee; restricting imports of long-staple cotton; and payment of \$15 million to the Cheyenne-Arapaho Tribes).

My most recent bill is designed to bar subversives from working in defense plants. Last December the Supreme Court declared that such restriction was unlawful.

TYRANNY IN THE IRS

I wonder at what point do we begin to favor a Government agency over the people we were elected to serve?

Five months ago I called on the Speaker of the House to reconvene the House Treasury-Post Office appropriations subcommittee under new and impartial direction to conduct a proper investigation into charges the Internal Revenue Service uses lawless tactics against the public. This hearing has not been called.

A national magazine made the charges and cases were cited. But when the subcommittee conducted a so-called investigation, it was behind closed doors and testimony was heard only from witnesses representing IRS.

I say this indicates favoritism for the Government instead of the people.

COMING EVENTS

Two events of importance are being planned for western Oklahoma which will be of interest to many hundreds of people. They are the Department of Defense Federal Procurement Conference to be sponsored by the Lawton Chamber of Commerce in Lawton March 29, and a Senior Citizens Forum for which the date and place will be announced later.

There are many businesses and manufacturers in this area which produce goods the Government would buy. The purpose of a procurement conference is to bring these men face-to-face with men from Government agencies who will explain how to proceed with negotiations in securing Government contracts.

Representatives will be invited from Department of Defense and Commerce, Atomic

Energy Commission, General Services, Small Business and Veterans Administration, and National Aeronautics and Space Administration.

I commend the Lawton Chamber for their efforts in bringing this conference to Oklahoma. It will be of great value in bridging the geographical distance between the State and Washington.

We have had many letters from Senior Citizens requesting information as to their eligibility for Social Security, Medicare and other Federal programs for the benefit of the elderly. I plan to sponsor a forum where representatives of Social Security Administration, Department of Health, Education and Welfare, and other agencies will be on hand to answer questions and counsel those who attend?

DO YOU AGREE?

Pat, a girl in our office, says, "If we send aid to foreign countries, they hate us. If we don't, they hate us. So why don't we take the cheap route to being despised?"

MAY I HELP YOU?

Q. Our wedding date was set and engraved invitations sent out. Now the draft board has ordered my fiancé to report two days before our wedding day. Can you help?

Yes. A two-week postponement was obtained from a sympathetic draft board.

Q. I am in Vietnam and Internal Revenue Service has started auditing my past returns. My wife cannot cope. Can you help?

Yes. The IRS was persuaded to suspend audit until he returns to the U.S.

Q. I haven't received my Social Security check. Can you help?

Yes. We checked and learned the computer which makes the checks also makes errors.

Q. I am in Vietnam. My father has just died. I am an only child. Mother, an invalid, needs me to handle her affairs. Can you help?

Yes. We helped him get compassionate reassignment to a post nearer home.

GEARED TO SERVICE

During the past year many hundreds of requests for help have come into my office via telephone, telegram, letter or personal visit. My entire staff is geared to serve. In addition, I meet personally with as many people as possible during my trips home. I appreciate the chance to discuss legislation with you or help you solve problems you have involving the Federal Government.

Also, my two District representatives are happy to meet with you at any time. They are Marshall Humphrey, Room 319, Federal Building, CA-4-1761, Chickasha; and Col. (Ret.) Justice R. "Bob" Neale, industrial development specialist, American National Bank Building, 355-8056, Lawton.

THE SHELL GAME WITH "CITIES"

Mr. RYAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, recently, we have heard various statistics on the magnitude of Federal aid to the cities bantered about in floor debate. Twenty-two billion dollars and \$37 billion are the figures mentioned most frequently. Twenty-two billion dollars was the level cited in the President's message on cities on February 22, 1968. It includes that share of all Federal grant-in-aid programs which go to cities plus direct

Federal construction expenditures. The \$37 billion figure includes the foregoing plus direct and guaranteed loans which go to the cities. These indeed seem to be substantial sums.

In fact, the Federal aid which reaches out large urban areas is nothing like \$37 or \$22 billion a year. In the first place, "cities" in this connection takes the census definition, which includes all communities with populations in excess of 2,500; in other words, more than 80 percent of the United States.

According to the Bureau of the Budget, only \$12 billion of Federal grant-in-aid funds reach the large metropolitan areas, and only some fraction of that—\$5 or \$6 billion—actually reaches central cities with populations in excess of 50,000.

Furthermore, the \$5 or \$6 billion figure includes such programs as construction grants for highways which pass through central cities and do not directly benefit urban residents. So in actual fact, Federal aid to cities, as the term is generally understood, is not \$37 billion or \$22 billion, but something less than \$6 billion. We are spending \$80 billion a year on the military budget, \$30 million of it in Vietnam. Surely, we can afford more than one-thirteenth of our military expenditures to save our cities.

TEXAS OBSERVES SMALL BUSINESS WEEK

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, the Honorable John Connally, Governor of Texas, has by an official memorandum, designated the week of May 12-18 as Small Business Week in Texas in cooperation with our President and in recognition of the vital importance of the small business segment of our economy. Governor Connally has always been a vigorous champion of small business. His statement follows:

OFFICIAL MEMORANDUM BY JOHN CONNALLY,
GOVERNOR OF TEXAS

GREETINGS: Nine of every ten business firms in this nation are small businesses and these firms provide more than one-third of the nation's goods and services.

The small business is the backbone of our economy, and it contributes significantly to the well-being of our citizens, to the defense of freedom, and to the exploration of new scientific vistas.

Small business is one of our most important employers, and its continued growth will provide additional jobs needed by a growing State and Nation.

As leaders in the business and civic affairs of their communities, small businessmen contribute methods and products which enrich the lives of our citizens and stimulate our economic growth.

The week of May 12-18 has been designated National Small Business Week by the President of the United States.

Therefore, I, as Governor of Texas, do

hereby designate the week of May 12-18, 1968, as Small Business Week in Texas, and urge all citizens and organizations to participate in ceremonies recognizing the many contributions of small businesses to the welfare of our State.

In official recognition whereof, I hereby affix my signature this 6th day of May, 1968.

JOHN CONNALLY,
Governor of Texas.

PLANNED DISRUPTION OF DEMOCRATIC NATIONAL CONVENTION

Mr. WILLIS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WILLIS. Mr. Speaker, for some time now it has been known that a conglomeration of elements have planned to disrupt the Democratic National Convention in Chicago this August. As chairman of the Committee on Un-American Activities, I have been receiving reports of these plans for some time and have communicated information to appropriate authorities.

I believe it is important, however, that all Members of the Congress and the public also be informed about how far certain elements in our society will go to achieve their purposes—and how complete is their attack on our institutions.

Significant numbers of these people are subversive in the truest sense of the word. It is their intent to destroy the representative, constitutional government of this country and to do this they are, step by step, attacking and attempting to disrupt all our key political and governmental institutions. The President, the Armed Forces, the draft, the State Department, the Congress—all are targets of these forces who have now gone so far as to plot the disruption and undermining of a major political convention, thus attacking the very foundation of democratic government.

I am certain that the Democratic Party leaders responsible for the convention in Chicago have been informed of the plans of these elements and that they are taking steps to frustrate them. These people have devious ways, however, and may succeed in thwarting the best efforts of those responsible to see that the Democratic Convention proceeds in an orderly fashion.

Some of the plans of the elements I have referred to were spelled out in an article published in the April 6 issue of the weekly Washington report, Human Events. I will include the text of this article at the conclusion of my remarks.

I would like to point out, Mr. Speaker, that since this article was published, Dick Gregory who is mentioned in it has announced that he has abandoned his plans to disrupt the convention. He had earlier threatened to stage such massive street demonstrations in Chicago during the time of the convention that "the Government will be forced to bring the Army in."

The rioting which followed the murder of Rev. Martin Luther King, Jr., has persuaded Gregory, he says, that if there were some incident during his originally planned demonstrations "be it the fault of a demonstrator or the fault of the authorities, it could kick off mass rioting again and as a citizen and as an American I am not going to be responsible for any violence or any rioting at all."

I regret to say that Gregory's stand against violence and rioting is not shared by others who have planned to disrupt the convention.

The article follows:

YIPPIES WILL HELP TAUNT DEMOCRATS IN CHICAGO—MASSIVE LEFTIST DEMONSTRATIONS PLANNED

Whether they like it or not, come the end of August Mayor Richard Daley and the city of Chicago will be hosts to what may well turn out to be the weirdest, wildest mass gathering in American history. There to greet the thousands of delegates and alternates to the Democratic National Convention during the week of August 25 will be a staggering conglomerate of black nationalists, hippies, campus radicals, neosuffragettes, acid heads, pot heads, speed freaks, New Leftists, Old Leftists and In-Between Leftists, all come to protest what they variously call the "system," "establishment," "power structure," "imperialist government," "racist government," or "the creeping meatball," but which all take to mean the Administration and policies of Lyndon Baines Johnson.

Even at this early date there are three more or less distinct mass groups with more or less definite plans to demonstrate in the Windy City concurrent with the Democratic meeting. There is Negro sometime-comedian Dick Gregory, planning to lead black masses in an effort to "cancel the convention." There are diverse anti-war, anti-draft elements organized under the banner of the National Mobilization Committee to End the War in Viet Nam. And finally there is the Youth International party (YIP), a hippie hang-over whose members call themselves "yippies" and whose political philosophy seems to be nine parts whoopee.

Gregory was the first to announce his plans, saying some weeks ago that he would organize round-the-clock demonstrations throughout Chicago to force city officials "to cancel the convention or call out the Army . . . The convention will be held 'only over my dead body,' he declares. Gregory has also said his operations would be non-violent and law-abiding, but that if they failed to provoke retaliatory police action, he would turn to "disruptive tactics"; reporters could not get him to elaborate.

The groups coordinated by the National Mobilization Committee, on the other hand, appear to be the best-organized force threatening Chicago. Some 200 delegates from these groups, ranging from Women Strike for Peace to the Communist party, met at a secluded site outside Chicago last weekend to discuss strategy for the Chicago onslaught. Organizers of the conclave included: David Dellinger of Liberation magazine; ex-Green Beret Donald Duncan, now "military editor" of Ramparts; the Rev. Daniel Berrigan, Roman Catholic chaplain at Cornell University; Ronnie Davis, a founder of Students for a Democratic Society (SDS) and now director of the Center for Radical Research, and Tom Hayden, another SDS founder and occasional Hanoi visitor.

As the participants gathered for the meeting, the majority appeared to be disposed toward a dramatic, perhaps violent demonstration at the convention; organizer Ronnie

Davis had advocated "closing down the city on the first day of preconvention activity." But other factors, notably the anti-Viet Nam presidential candidacies of Sens. McCarthy and Kennedy, tended to modify such hysterical outcries, since the delegates realized disruptive demonstrations would only help their common enemy: LBJ.

At the close of the conference, organizer Dellinger pledged that the participating leaders would try to keep the summer protest "peaceful" and would try "to use the Democratic convention as a national platform to heighten our impact and visibility and draw the movement together." However, Dellinger noted, there were also no plans for disruption at last fall's less than "peaceful" Pentagon demonstration (which he also helped plan). A June meeting of the National Mobilization Committee's affiliates will make the final decisions on the Chicago strategy.

(Negro delegates to this conference, who numbered around 25, met in a separate "black caucus" to meet with free-lance organizer Dick Gregory and pass their own resolutions. The full body then adopted several of these demands, including proposals calling for the dropping of charges against "political prisoners" Rap Brown and Le Roi Jones and the reseating of Adam Clayton Powell.)

This leaves the Youth International party, or the "yippies," by far the most colorful of the Chicago-bound groups and perhaps the biggest joke the New Left has ever played on the American public. The yippies, whose elder statesmen include poet Allen Ginsburg and LSD apostle Timothy Leary, have promised to present a massive "festival of life" for several days in the Windy City to supposedly show the attending Democratic delegates just how to get more enjoyment out of life.

The more traditional elements of the Left, such as those at the National Mobilization conference, are tolerant toward YIP, if not enthusiastic. Their conference last weekend, attended by yippies "observers," passed a resolution supporting the YIP "festival."

But the Left as a whole does not seem to be enthralled by the yippies. Although it is several months old, the Youth International party was regarded until recent days with what seemed to be embarrassment by the more "responsible" leftist elements—notably the Communists. Only the pro-Communist *Guardian*, a publication that claims to be an "independent radical newsweekly" had even made mention of the new group; in the correspondence section of its March 9, 1968 issue, the *Guardian* printed a five-paragraph letter signed by four leaders of YIP.

The underground press, however, which has printed several articles by YIP leaders, has made some attempt to capture the color of the Youth International party for its readers. Two eye-catching headlines on these YIP articles: "Elvis Presley Killed Dwight Eisenhower" and "In America, we are all learning to become Viet Cong." The contents of these articles make about as much sense as the headlines.

Youth International party was masterminded by Jerry Rubin, whom most Human Events readers will remember as the young man dressed in Revolutionary War attire who made an obscene gesture toward the chairman of the House Committee on Un-American Activities during the hearings on the anti-Viet Nam demonstrations in the late summer of 1966.

Since then, Rubin has exchanged his Revolutionary War costume for that of a Viet Cong guerrilla and has burned his draft card. Obviously, Rubin's talent lies in the so-called guerrilla theatre, the authentic theatre of the absurd, and in the Youth International party he has created an excellent vehicle for his unique talent.

Other less colorful leaders of YIP include

Mrs. Abbie Hoffman of New York's Free School; Paul Krassner, editor of the *Realist*, a magazine that often borders on pornography; and Ed Sanders, a member of the Fugs, a singing group that is infatuated with the shock value of frequently using four-letter words in the lyrics of their songs.

To add some zest to YIP's publicity attempts, the leaders have formulated an interesting yippie slogan: "Rise up and abandon the creeping meatball!" Granted, it doesn't have the magic of "Give me liberty or give me death!" but then it is only a temporary slogan. In months to come, who can tell what descriptive and colorful slogans the foursome can concoct?

The creators contend that the concepts behind YIP have been developing since the 1950s and that the October 1967 demonstration at the Pentagon proved that a more coordinated, continual protest was needed. Youth International party was then set up. Recently, a YIP information office was opened in New York City.

The first YIP project was drawing up vague plans for yippie protest. With typical New Left flamboyance, it was originally announced that New York City was to be thrown into "psychological paralysis" this spring. This was supposedly going to be accomplished by having 50,000 youthful peace demonstrators jam the 50 most important traffic thoroughfares at peak hours.

No concrete plans were made, however. Perhaps obtaining 50,000 exuberant protesters willing to brave Manhattan traffic at rush hour was a more difficult task than Rubin and Co. had imagined. Whatever the reason, the "psychological paralysis" of New York was soon forgotten and the yippies moved on to a project that would be more feasible, although less exciting.

Shortly after midnight on March 22, the main floor of Grand Central Station was cluttered with 3,000 yippies in what YIP leaders have stated was originally planned as a "gathering of youths to share songs, popcorn, jellybeans, and love for humanity." However, Keith Lampe, a 36-year-old English teacher and a leader of YIP, claimed that "almost spontaneously the anti-war chants began and were picked up in many parts of the terminal."

Shortly thereafter, the gathering turned into a disorderly, destructive rally in which anti-war messages were painted on the walls and property destroyed. Before the melee ended, more than 200 policemen had massed at Grand Central. Fifty-seven persons were arrested on charges that ranged from felonious assault and criminal mischief to resisting arrest and disorderly conduct. Two of the arrested yippies were hospitalized and five policemen were injured.

Within 24 hours of this incident, the mass media recognized the yippie phenomenon. Throughout the country newscasters reported New York Chief Inspector Sanford Garelik's remark that "There's a sickness in these kids. There's a sickness in their families, but I think there's a force directing this, that makes them come here and go there, somebody's directing this." After many months, the Youth International party had garnered some attention from newspapers, radio and television.

And if YIP leaders can be believed, Grand Central was only the beginning. Said Paul Krassner, "This is a preview of what Chicago is going to look like at the Democratic National Convention in August."

YIP's most ambitious undertaking, the "international youth festival of life," promises to be a "multi-media experience," the nation's first "Do-In." Chicago's Grant Park has been designated the center of activity, a proposal not calculated to delight Democratic Mayor Daley. But the yippies are confident they will receive a permit to use the park;

"with hundreds or thousands of us . . . it is our human right," says Rubin.

Plans for Grant Park include making "every man a creator." Anyone walking across the park at any time during the six-day festival can expect to find free microphones and soapboxes, a free mimeograph machine and copies of the underground newspaper that will be published each day of the "festival." Other underground newspapers from around the country will also be represented and members of their staffs will teach interested persons how to start their own paper. "A real school for drop-outs" will be run and workshops will be held on how to end the draft and make protest films. Each night films of the day's activities will be shown. All of these activities will be going on daily in Grant Park. Obviously, the yippie leaders hope to keep the "hundreds of thousands" of participants very busy.

The Youth International party does not intend to confine its various activities to Grant Park alone. Yippies "dressed like Viet Cong" will walk the streets of Chicago, "shaking hands like ordinary American politicians." Rubin has promised that "the yippies, being wanderers, will be all over the city."

Yippies do not plan to forget the other convention that will be taking place in the same city on the same dates. They will use various methods to "freak out" the Democratic delegates. Some yippies "plan to paint their cars like cabs, pick up delegates, and drop them off in Wisconsin." Others will infiltrate the hotels housing delegates by disguising themselves as "bellboys and cooks."

The yippies intend to create such chaos among the delegates that Johnson will find it necessary to be nominated under military guard. Rubin believes that "the paranoia and guilt of the government will force thousands of troops into the city of Chicago to protect the Democratic delegates and LBJ" from the yippie threat. And every yippie knows that more federal troops would mean a better guerrilla theater.

Theatrics figure in other plans concerning the Democratic National Convention. The day before President Johnson is scheduled to arrive in Chicago the yippie leaders will announce to the press that LBJ will be arriving at O'Hare Airport at 2 p.m. But it will be a yippie "LBJ" who will be enthusiastically greeted by their cadre. After the airport reception, the yippie "LBJ" will be honored with a motorcade through Chicago. Then "LBJ" will hold a press conference in a yet unnamed Chicago hotel. The highlight of this press conference will be the announcement of America's "withdrawal from Viet Nam."

The yippies also have a candidate for the presidential nomination. He is Bancroft P. Hogg, an animal made out of vegetables. They have selected as Hogg's running mate a man with previous experience as vice president, Lyndon B. Johnson. Rubin writes that:

"After Hogg is nominated, we will kill him and eat him. And we will say to America: 'You nominate a President and he eats the people. At our convention we nominate a President and we the people eat him!'"

This bizarre brand of New Leftism that the yippies symbolize is calculated to mobilize thousands of young radicals. The fun and games, the free food and music ineptly mask the real purpose of the "international youth festival." It is the hope of yippie leaders to create total anarchy in Chicago.

At first, only a handful of people regarded the Youth International party with any seriousness. The incident in Grand Central Station showed that, as fanciful as they might seem, they are not merely a giant hoax. The Chicago police are expecting the worst this summer and are preparing for the flood of

uninvited visitors—the yippies and their assorted summertime allies from across the Left spectrum.

TENOR OF THE LIBERAL'S CAMPAIGN?—LET'S HOPE NOT

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio? There was no objection.

Mr. ASHBROOK. Mr. Speaker, it is no mystery to me why we find ourselves in the worst domestic and international quagmire in this country's history. The liberal Democrats have overpromised, overburdened, overtaxed, overspent, overcommitted, overprogramed, and overstaffed. They can read the times and many are coming to realize that their impending defeat is overdue. To give the Nation's overburdened taxpayers more of the same medicine they have launched a fantastic campaign to paint a socialist panacea to the public in order to get re-elected.

I just looked at a recent COPE publication, No. 189C. It makes no sense whatsoever but in their usual smear diatribe they state to their captive audience that—

If 25 more liberal congressmen are elected . . . slumless cities, decent homes for all Americans, pure air, clean water, consumer protection—

And so on. Now, as if that is not demagogic enough they go on to say, on the other hand that—

If 25 more conservative congressmen are elected . . . perpetuation and spread of slums, continued shortage of good housing, rampant pollution, consumers unprotected.

What fraudulent lies to foist on the public in this election year. Fantastically enough, they will probably get a few people to believe them.

Wonders never cease, Mr. Speaker. I know we live in the midst of an incredible time, but who would ever have expected a U.S. Senator to team up with a convicted sex offender who also served time in a Federal prison for selective service violation to come to the aid of the Democratic study group in Congress? Now, certainly they cannot be that hard up. The letter starts out:

We are deeply troubled—

That puts it mild. All Americans should be deeply troubled at Bayard Rustin's effort to raise money a la the COPE smears. The "appeal" has all of the usual innuendoes. For example:

The right wing already is raising millions of dollars in mail campaigns subtly appealing to racism in the guise of concern about "crime in the streets." This is being done not only on behalf of identifiable extremists, but for hundreds of apparently "respectable" Republican candidates. And they are eliciting a powerful response from elements in society who far from being appalled at the prospect of an American apartheid, are actually—if covertly—delighted by it.

Now, note that well. There is supposed to be some subtle appeal to racism by

talking about crime in the streets. The Senator and Mr. Rustin would seem to be off base since they are inferring that all of the crime in the streets is the result of American Negroes. I know of no responsible person saying that. They are insulting the Negroes, not those of us who will not be scared out of discussing the very real problem of crime in the streets.

COPE uses blatant demagogic smears and Bayard Rustin and friend are saying that anyone who mentions crime in the streets is a racist. Thus is the battle joined for those liberal Democrats who are rightly scared. Scared to death of the electorate which is finally catching up with them.

While I find myself in disagreement with many of the policies advocated by the Democratic study group on the other side of the aisle, I have never questioned their integrity. They are very honorable and worthy adversaries. As I recall, one of my good friends made some critical statements just before the open housing vote regarding literature and information which was being circulated. It would be fair to ask them now if this Rustin letter went out with their approval and if they subscribe to its contents. The letter follows:

SPRING 1968.

DEAR FRIEND: We are deeply troubled.

The Commission on Civil Disorders has stated "there can be no higher priority for national action and no higher claim on the nation's conscience" than "a compassionate, massive and sustained" attack on the problems of racial injustice and deprivation in our society. And yet, even though the nation is verging toward greater violence, the brutal fact is that most of the action called for by the commission would not be implemented by the present narrowly divided Congress even if the war were to end tomorrow.

The liberal strength which produced the unprecedented social advances of the 89th Congress was sharply reduced by the loss of 47 bright, dedicated young members of the House of Representatives in 1966, and the remaining liberal forces in the House have since been fighting a series of bitter but successful rear guard battles to defend those accomplishments against a revived conservative coalition.

Nonetheless, action on our domestic problems cannot be delayed without terrible consequences for our society. The situation in our cities is so desperate and explosive that the political alternative to action will not be inaction as it was in the 1950's but reaction. And if the history of the past two decades is any guide, the choice between action and reaction will not be made in the White House, but in the Congress—and especially in the House of Representatives, where liberal power is now most needed and most threatened.

To the 150 liberal Democrats still in the House, the need for action to meet our domestic crisis is a matter of both urgent conviction and grim political survival. Unless these committed House liberals can be saved and their numbers increased so as to really make possible "massive and sustained" action on employment, housing, education and training, the political and social fabric of our nation could be ripped beyond recognition—and perhaps even beyond enduring for decent people.

Nothing is more important in this year of political upheaval than that we remain united and effective on this issue, regardless of the course of the war. We must give these liberals our help, and we must do so now.

The right wing already is raising millions of dollars in mail campaigns subtly appealing to racism in the guise of concern about "crime in the streets." This is being done not only on behalf of identifiable extremists, but for hundreds of apparently "respectable" Republican candidates. And they are eliciting a powerful response from elements in society who far from being appalled at the prospect of an American apartheid, are actually—if covertly—delighted by it.

The 150 House liberals have launched a special effort, the Democratic Study Group Campaign Fund, to channel support to the 50 of their colleagues who are most endangered this year—and to about 20 challengers who may have a good chance of unseating conservative incumbents. Their success and our nation's future depends on the level of public understanding and the degree of public commitment.

We ask you to join this effort by making a generous contribution to the DSG Campaign Fund now. An envelope is enclosed for your convenience.

Sincerely yours,

BAYARD RUSTIN.
Senator [Deleted].

P.S. You may have received more than one copy of this letter because it would be prohibitively expensive to check for duplications in the lists that have been made available for this purpose. If so, would you please pass the additional copy along to a friend who may be interested in helping? Thank you.

WE ARE LIVING IN A FOOL'S PARADISE

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, those constituents in Ohio's 17th District who keep up with my newsletters know that my favorite topic is deficit spending, back-door spending, and what the taxpayer can see only as "trap-door" spending—or in a word the abuses and uses of the Federal budget.

For 8 years I have cautioned—and I have done so as vociferously as any—on the fallacies of the "new economics" that has been infiltrated and has taken over our Government here in Washington. My concern and my criticisms go back into the days of Walter Heller's absurd "deficits of strength" argument and up through the continuation of these theories and programs as expounded by Gardner Ackley.

Today, and disregarding an urge to use the article in front of me to provide an "O. Henry twist," I would like to quote from a 1963 article which appeared in Reader's Digest. I emphasize that this article is from 1963. It is the work of the highly distinguished staff member, Charles Stevenson, former chief of the Digest's Washington office who is now retired.

If I were to change a few names, substitute new figures and change the date, it would read as if it were this month's edition.

For example, take this quote:

The advertised \$98.8 billion budget—vast as it is—represents only a fraction of what the Government plans to spend in the next

fiscal year—and this merely to set the stage for even bigger spending in the years to follow.

Unfortunately, in 1968, as in 1963, the public does not get the true vision of the Federal budget, unless they read it in Reader's Digest and possibly a few other places, such as my newsletters for the past few years.

The fiscal tactics enumerated in this article are simply a con game to disguise administration programs, expenses, and tactics.

Mr. Stevenson said of President Kennedy's 1963 budget:

No other President in history has dared to propose such spending, even in war.

But, each year since this time we have seen a larger budget. Now we are being asked to pay for these past and present fanciful ideas through a tax surcharge.

Quite frankly, I feel that we are living in a fool's paradise. For some reason, the average American has been lulled into believing that we can have militant people going throughout the country exhorting to violence, preparing for violence, but yet not have violence; that we can in times of crisis and expediency set aside our constitutional principles but still have our constitutional protections when we need them; that we can follow "no-win" policies against the Communists and somehow come out with a "draw"; that we can go three-fourths of the way to socialism or communism but not get there; and finally, that we can spend more than we take in, year in and year out, but not have national bankruptcy.

We are creaking at the seams. The liberal Democrats have made a national game out of overpromising, overburdening, overspending, overtaxing, overcommitting, overprogramming, and overstaffing. Now they want to take it out of the hides of the American taxpayer for their own errors which men like Charles Stevenson and conservatives in general have been warning about for years.

I oppose the tax increase. I do so for many reasons. Without a meaningful cut in the budget, it will merely serve as a license for the big spenders to recharge their batteries and go off on another irresponsible spending spree. Take this year for example. The papers screamed with President Johnson's "austerity" speech in Minneapolis on March 18 but now he is bucking at a measly \$6 billion cut in spending. Anybody that cannot read that picture does not deserve to have his hard-earned money protected for him.

There is no austerity, there never will be with this administration. To increase taxes rather than cut down on the oppressive spending policies of this administration would be inflationary and against the best interest of our people and our economy. It will only forestall the day when we have to make even deeper cuts or greater tax hikes. You cannot have both, and the mistaken liberal economic philosophy which has had its day and failed will only make your plight that much worse in the near—very near—future.

There has been no economy, let alone austerity. President Johnson has talked out of both sides of his mouth. More than 500,000 new Federal employees have gone on the payroll since he took over at the White House. Look at what has happened to spending in these few brief years:

THE ADMINISTRATIVE BUDGET AND PUBLIC DEBT
(In millions of dollars)

Fiscal year	Administrative budget			Public debt at end of year
	Receipts	Expenditures	Net	
1960.....	77,763	76,539	+1,224	286,471
1961.....	77,659	81,515	-3,856	289,211
1962.....	81,409	87,787	-6,378	298,645
1963.....	86,376	92,642	-6,266	306,466
1964.....	89,459	97,684	-8,226	312,526
1965.....	93,072	96,507	-3,435	317,864
1966.....	104,727	106,978	-2,251	320,369
1967.....	115,849	125,718	-9,869	326,733
1968 ¹	118,575	137,182	-18,507	351,599
1969 ¹	135,587	147,363	-11,776	363,540

¹ Estimate.

Mr. Speaker, we did not get where we are accidentally. These deficits were planned. These phony "new economics" ideas have not worked and will not work.

Feeding more tax money into such a wasteful administration is the height of irresponsibility. Cut expenditures, implement economies at all levels of Government, fight inflation, and instill confidence in the dollar and prove that we do not, in fact, live in a fool's paradise. Taxpayers will probably have to wait until a new Republican administration and a Republican Congress come into office in 1969 for any hopes of achieving these goals. We need a new fiscal responsibility and a new commitment to govern wisely—not higher taxes and more of the old, wornout, big Government theories. The tax cut should be rejected; spending cuts should be imposed by a forward-looking Congress. This is the only hope for our people.

The Reader's Digest article follows:

[From the Reader's Digest, May 1963]

THE REAL TRUTH ABOUT THE FEDERAL BUDGET

(Additional billions are embedded in next year's record \$98.8-billion budget. Here are the shocking facts that taxpayers have not been told.)

(By Charles Stevenson)

Look behind the 1600 pages of figures and texts covering President Kennedy's proposed spending for the new fiscal year that starts July 1. Pin down federal fiscal experts as to what certain bookkeeping references really mean. Investigate leads that busy legislators lack time to follow up. Do this and you'll uncover some startling facts about the most explosive issue now building up in Congress—the \$98.8-billion budget.

No other President in history has dared to propose such spending, even in war, and consternation has been spreading ever since he tossed this program to Congress. Kennedy's own Democratic House Appropriations Committee chairman, Rep. Clarence Cannon of Missouri, went over it and dashed to the House floor. "I've never seen a budget like this in all my 40 years in Congress, nor has anyone else!" he shouted. "Incredible. Inviting disaster. Staggering!" were some of his descriptive terms.

Legislator after legislator, Democrat and

Republican alike, has lined himself up with the ever-increasing number of knowledgeable critics. Washington newspapers report a new flood of mail to the Capitol: worried taxpayers, too, have been indicating alarm. And with good reason. For the advertised \$98.8-billion budget—vast as it is—represents only a fraction of what the government plans to spend in the next fiscal year—and this merely to set the stage for even bigger spending in the years to follow.

Insistence upon spending more than can be collected in taxes has already swollen our national debt to more than \$300 billion. Just the interest on this is eating up more than \$10 billion a year of our taxes. That's more than we spend for any item of government except defense; it equals all the income taxes paid by the 41 million Americans who report earnings up to \$6,000. Moreover, this living beyond our means has eroded more than half the pre-World War II value of our money, our savings, our Social Security. Six times in the past year the cost-of-living indexes hit new highs.

Yet, by the administration's own calculations, spending in the new fiscal year beginning July 1 will run \$4.5 billion more than this year, \$11 billion ahead of last. This spending will inflate the accumulated deficit for Kennedy's three full fiscal years in the White House to more than \$27 billion—a record unmatched in our history except during the most desperate period of World War II.

The President told Congress: "I will hold total expenditures for all other purposes (than defense, space and interest on the debt) below this year's level. This requires the reduction or postponement of many desirable programs." Yet House Appropriations Chairman Cannon has noted that Kennedy's own budget figures show that defense spending is up just 17 percent since he came to office, whereas non-defense spending has soared 27 percent and will go up by \$2 billion in the new fiscal year. Indeed, nearly every government bureau and program is listed as spending more.

What conceals this increased spending in the budget is the offsetting bookkeeping entry of hoped-for receipts from sale of government assets such as mortgages and commodities. Thus, while the Agriculture Department will actually spend more than this year, the budget shows it spending \$928,143,000 less, largely because the department hopes to offset the increases by selling off vast amounts of its surplus cotton. To many fiscal authorities—Rep. Thomas B. Curtis of Missouri, for example—such bookkeeping is merely ledger juggling to disguise what is really being done.

"This indeed is fiscal irresponsibility," Representative Curtis told the House. "It is a deceitful presentation to the Congress and to the public. How does one say this forcefully so that the country can understand the techniques that are being used to deceive the people?"

Some of the techniques to which he refers lie in a no man's land known to the legislative trade as "backdoor spending." Theoretically, Congress must review the activities of each agency annually and then appropriate needed funds for the coming fiscal year. But under the backdoor system, introduced in the 1930's, Congress vitiates this right of review and control over spending.

One way it does this is to give an agency "contracting authority," in reality a charge account to spend and simply send back an annual bill which Congress must pay. Or it gives an agency authority to borrow its operating funds directly from the Treasury, which just adds the amounts to the public debt. Congress doesn't enter the picture again until after the money has been spent;

then it is called upon to make up the loss by appropriating more money to "restore impaired credit" or by outright canceling of what the agency owes the Treasury. Some \$27.4 billion has thus gone down the drain since inception of the backdoor system.

The system is used to cover up the cost of outright gifts and credit operations which are too often so set up that they never could pay their way. President Eisenhower regarded backdoor spending as so reprehensible that he asked Congress to discontinue it as a financing method. But President Kennedy clings to it despite its being termed "fiscal insanity" by his own House Appropriations chairman. After trying to shove through enactment of \$30.9 billion of backdoor-spending authority and getting \$20.1-billion worth, Kennedy is back at it again this year.

Examples:

The Export-Import Bank requires \$2 billion of new financing to add to its previous outlay of \$7 billion for helping foreign governments purchase American wares. In his new budget Kennedy requests "authorization to expend the sum from debt receipts"; the money would not be appropriated as needed but would be obtained through further borrowing by charging it to the public debt. Moreover, he enters this \$2-billion item on the books for the currently expiring fiscal year. Thus during the new fiscal year beginning July 1 he is able to show that the \$2 billion was not requested, and this is claimed to be a "savings" of \$2 billion.

The Treasury now has to pay up to 4½ percent to borrow from the public the money which the Rural Electrification Administration lends out at a cut-rate two percent to co-ops so they can operate electric utility, appliance and telephone businesses in competition with taxpaying companies. The outstanding co-ops-to-REA-Treasury-to-taxpayer debt now totals \$3.6 billion and is rising at the rate of several hundred million a year. But now Kennedy not only wants the REA to step up its half-price loans; he wants to pour all the outstanding co-op loans into an REA revolving fund. Instead of continuing to pass back to the Treasury the repayments received from the co-ops on these loans, Kennedy now proposes to have REA relend these repayments to the co-ops, thus further bypassing Congress.

This means an immediate loss to the taxpayers of \$151 million, the amount which otherwise would be returned to the Treasury as the co-ops' passed-back repayments in the new fiscal year. And what happens after all these transactions go through the administration's bookkeepers? They end up in the new budget as "reduction in expenditures" of more than \$70 million for the year.

A borrowed defense-production fund of \$2.2 billion was supposed to get back some of its expenses by selling unneeded stockpiles and recovering loans made to defense contractors. Instead, the fund has become so depleted that it can't even pay \$127,584,000 interest due on its borrowings. Yet instead of seeking appropriations to make up some of the losses, the President is sweeping the problem under the rug by asking Congress to pass a law voiding the interest. This enables him to enter the repudiated interest in his budget as another "savings" that he has achieved, although the public still must pay the bill.

Or consider the Housing and Home Finance Agency, which President Kennedy wants to develop into a vast Department of Urban Affairs. Chairman Harry F. Byrd, of the Senate Finance Committee, says, "It had better be called a Department of Backdoor Spending," because last year it had a \$13.7-billion spending authority, "and all but \$300 million of this was through the backdoor."

For just one program, urban renewal,

HHFA will hand out \$625 million in grants during the next fiscal year to make over American cities. And the agency has at least 46 other programs that will result in borrowing from the Treasury in order to pay out at least \$3.7 billion during the next fiscal year. Yet all that shows in the administrative budget for these programs is a net \$695-million expenditure.

Finally there is the Commodity Credit Corporation, which shows up as just a \$1.4-billion expense as far as the administrative budget is concerned. Yet the agency will actually obligate \$9.5 billion, mostly backdoor borrowings, in carrying out its agricultural price support and disposal programs here and abroad; it will require a \$5.3-billion appropriation from Congress during the year to restore just some of its losses; and by its own calculations it will end the year with an accumulated deficit of \$8.139 billion.

These examples are typical of an entire category of government spending known as "public enterprise" funds. Together they will lay out nearly \$23.5 billion in the course of their next fiscal year's operations. But thanks to the bookkeeping practices cited here, the juggling and the consignment of huge losses to limbo, the \$23.5-billion gross outflow is made to appear in the administrative budget only as a net \$3.5-billion expenditure.

Yet this isn't all of the extra spending that fails to see the light of day in the administrative budget. There are more than \$28-billion worth of trust-fund payments, so-called and accounted for separately because the money comes from revenues dedicated to their special purposes. Included here are \$3.39-billion federally aided highway construction; \$3.77-billion unemployment benefits and operation of U.S. Employment Service offices; \$1.01-billion gross expenditures for the Federal National Mortgage Association; and even some \$500 million in foreign-aid financing.

When these particular spending programs are separated from such traditional trust-fund operations as Social Security and Railroad Retirement and added to the previously totaled expenditures, you account for not just \$98.8 billion of government spending advertised in the administrative budget. You have at least \$127.5-billion worth.

Yet even this figure does not tell the whole story, for it is only the amount that the government will pay out, not what it will commit itself during fiscal 1964 to spend in future years. For example, the administrative budget lists foreign aid as a \$3.75-billion expenditure. But in his various budgeted programs Kennedy requests the authority to obligate the government to enter into contracts, agreements and programs which will actually cost \$5.053 billion¹ over the next several years.

Similarly, Kennedy's budget starts off his Aid to Education program as a \$144-million expenditure, but this is merely the amount that will be spent this coming year out of a requested \$1.2-billion appropriation. And this is just seed money to begin a broad program of educational financing, the ultimate cost of which is not yet even dimly seen.

Gifts for rejuvenation of urban mass transportation have been budgeted as a scant \$10-million expenditure, only a fraction of the \$100-million appropriation which Kennedy is asking for in order to start a program which will cost \$500 million in the next three years; but HHFA Administrator Robert C. Weaver, who will oversee the program, has confessed that he doesn't know what the ultimate cost will be, and Kennedy's guideline is: "If mass transit is to survive it needs federal stimulation and assistance."

¹ Not including \$2.429 billion for Food for Peace.

These are just symbolic of new obligational authority which Kennedy wants approved during the next fiscal year.

"Obviously this loose spending must stop," says Senator Byrd of Virginia. "There must be a turning back if we are to endure in the image that we like to think is still our America. The rumblings in Congress and over the country indicate that a lot of people feel it is time to back up. But only if they complain loudly enough, and let their Congressmen and Senators know, will they get action. The blueprints exist by which the spending can be brought under control overnight."

Here they are:

1. Junk the existing now-you-see-it-now-you-don't budget and eliminate backdoor spending. Compel the executive departments to submit all their spending proposals and handling of the people's money to annual scrutiny by the Congressional appropriations committees which were set up for the purpose of keeping expenditures under control.

2. Stop having Congress act on more than a dozen appropriation bills in such piecemeal and unrelated fashion that the members don't even know the total money they've voted to spend until after the session has ended and they've gone home. Instead, pull together all these bills into a single legislative package. Congress will then be faced with the necessity of determining which items have priority so that the spending can be fitted into the funds that are available. Just by agreement, House Appropriations Chairman Cannon got his committee to handle all appropriation bills as a single package back in 1950. "It worked," Representative Cannon recalls. "It will work again if we can beat down the spenders who objected because it made it harder for them to raid the Treasury."

3. Require the President in sponsoring legislation to estimate the ultimate cost of his proposals.

4. Set up spending controls by requiring Congress to limit by law the amounts to be spent annually for every government program. Congress at present only determines how much it will give an agency to spend, not when and how it will spend.

Legislation providing for these reforms has been introduced by Senator Byrd, and there is plenty of evidence that if we put them into effect, we'll be able to afford the tax cut we want. Money now piling up in savings accounts will come out seeking investment. Business will be able to expand. The country will move ahead. For once again there will be confidence in the land and in the future.

THE INTERNATIONAL IMPLICATIONS OF AMERICA'S VIETNAM COMMITMENTS

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. STRATTON. Mr. Speaker, while we all share the hope that the peace talks now underway in Paris will find an honorable formula for a genuine and lasting peace in Vietnam, it is also important, as we move toward the difficult and perhaps frustrating differences of opinion which these talks will certainly uncover, that we remember the basic purpose and objectives of America's foreign policy which first led to our South-east Asian commitment.

All too often we have been told that our commitment there has no real bearing on the basic interests of the United States. All too often we have been told that if we only abandon our fight for self-determination in Southeast Asia, we will find ourselves suddenly back in a simple and uncomplicated world where we need no longer be troubled by international concerns and where we can devote ourselves completely and wholeheartedly toward solving our domestic problems.

Many, I am sure, realize that this is indeed a false and misleading appraisal of what is likely to occur when the Vietnam war does come to a close. Many of us have pointed out that failure to achieve our basic objectives in Vietnam, of resisting armed aggression and defending self-determination for small nations, will lead not to peace in the world but to the danger of an even greater and more destructive war.

I am delighted that a very forceful and persuasive analysis of just this point of view appeared yesterday as the leading article in the New York Times Magazine section, written by Mr. Irving Kristol and entitled "We Can't Resign as 'Policeman of the World.'" Mr. Kristol's analysis is all the more interesting in view of the fact that the Times itself in its own editorial policy has consistently overlooked the points which he makes so persuasively.

So as we move into the difficult and delicate negotiations in Paris, I believe Mr. Kristol's analysis deserves to be read and pondered by every Member of this body.

Under leave to extend my remarks I include the following article by Irving Kristol from the New York Times of May 12, 1968:

WE CAN'T RESIGN AS "POLICEMAN OF THE WORLD"

(By Irving Kristol)

I pretend to no greater foresight than the next man on how the present negotiations over Vietnam will proceed. But whether they move swiftly or not, or smoothly or not, it is nevertheless not too early for us to contemplate the meaning of the Vietnam experience for American foreign policy. Moreover, it is extremely important that we do so in the least polemical and most judicious of tempers. For the implications of this experience are nothing less than momentous.

Everyone is to some extent aware that American foreign policy, after this trauma, will never again be the same. But too many people seem to be content to leave it at this, under the impression that the recent past having been so awful, the future—whatever its shape or form—can only represent an improvement. There is, it seems to me, a shocking lack of recognition of the fact that the debacle in Vietnam initiates a major crisis in American foreign policy—and perhaps in world history too.

Thus, there are many people who have concluded rather smugly that, from now on, a chastened United States will be more reluctant to exercise a roving commission as "policeman of the world." The conclusion itself is indisputable: any future Administration will be most hesitant about entering into a new military commitment overseas, and will even think twice before moving to honor an old one.

Still, the fact remains that the moving

force behind American foreign policy in these last two decades has been something more than mere presumption or "the arrogance of power." For the world needs a measure of policing—the world does rely on American power, does count on American power, does look to American power for the preservation of a decent level of international law and order. It wasn't arrogance on our part that cast us in the role of mediator and arbitrator in the Cyprus dispute. Nor was it any kind of narrow self-interest: The nations of Western Europe have far more at stake in avoiding a war between Greece and Turkey than we do, and we certainly could not care less about Cyprus itself, where we have neither bases nor investments. Nevertheless, when that dispute flared up, it was to the United States that both Greece and Turkey naturally turned. Had we decided to keep hands off, a Greco-Turkish war would have been inevitable and the entire Middle East would have been thrown into bloody turmoil, with consequences that pass imagining.

Along these same lines, one can only wonder what the situation in Central Africa would be today if we had not helped establish stability of a kind in the Belgian Congo, an area of no direct concern—economic or military—to us. We intervened there because most of the world thought it was our responsibility to do so—we had the ships, the planes, the men and the money, too.

Power breeds responsibilities, in international affairs as in domestic—or even private. To dodge or disclaim these responsibilities is one form of the abuse of power. If, after Vietnam, the nations of the world become persuaded that we cannot be counted upon to do the kind of "policeman's" work the world's foremost power has hitherto performed, throughout most of history, we shall unquestionably witness an alarming upsurge in national delinquency and international disorder everywhere. Nor shall we remain unaffected, in our chrome-plated American fortress. Let me propose an example of how drastically we might indeed be affected—one which has received surprisingly little attention.

I happen to think that the Administration's "domino theory" is a perfectly correct description of what an American defeat (as against a settlement that falls short of victory for either side) will lead to. But let us assume that I'm wrong and that the nations of Southeast Asia will remain uncoerced, un-intimidated and unsubverted by a Communist Vietnam, allied or not with a Communist China. There still remains the question of how India is going to react to a situation in which the sole and unrivaled Great Power in Asia is a nuclear-armed China. Can anyone doubt that—dominoes or no dominoes—the immediate consequence of an American withdrawal from Asia will be India's arming itself with nuclear weapons?

Even now, the Indian Government is balking at signing the nonproliferation agreement, so laboriously negotiated by the United States and Russia, because it is skeptical of the willingness or ability of these two powers to protect her from nuclear blackmail on the part of China. Should the United States cease being an Asian military power—as is now being urged by so many—this skepticism will turn into certitude. India will then start arming itself with nuclear weapons—it has had the technical capacity to do so for some time now. And if India proceeds, can Pakistan be far behind? How do we contemplate a world in which India and Pakistan glower at each other, their fingers curled around nuclear triggers? That is the kind of thing which has been at stake in Vietnam.

Or take another example, in another part of the world. If Israel becomes convinced

that the United States, after its bitter experience in Vietnam, is unable or unwilling to use its military power in the Middle East to assure Israel's survival as a nation—if this power is all symbol and no substance—it will inevitably start constructing nuclear weapons. Egypt, of course, will do likewise, with or without Russian assistance. How do we contemplate such a confrontation? That, too, has been at stake in Vietnam.

It is exceedingly strange that so many people who have a sincere and passionate concern over the Bomb should be oblivious to the fact that we live in a nuclear age. To listen to self-appointed leaders of the "peace movement," one would think that the only danger posed by the Bomb is that some crazy general in the Pentagon will abruptly decide to use it. Unfortunately, it is extremely difficult for official United States spokesmen to discuss this matter in public. How can the State Department or the White House talk blunty of the dangers of a lot of kooky little (or not so little) nations playing around with nuclear weapons. How can Dean Rusk publicly assert that we don't trust India, or Pakistan, or Egypt, or Brazil, or whomever with nuclear arms?

Protocol quite properly forbids such candor. But protocol does not affect the basic realities, which are available to inspection by anyone who is willing to look at this world with eyes unclouded by ideology. It is a world which, without "policing," will almost certainly blow itself to bits.

It is because this reality of world politics is so blithely ignored or passed over that I find much of the present controversy over American foreign policy so unreal. Will the United States go isolationist or neo-isolationist as a result of Vietnam, as some fear and others hope? But can "going isolationist" mean, in today's world? There is no special American atmosphere; the air we breathe can be radioactively polluted by the actions of men, thousands of miles away, contesting issues in which, strictly speaking, we have no kind of national interest. What it comes down to, indeed, is that in the nuclear age no Great Power can responsibly define its national interest in "strictly speaking" terms.

I also find only a little less unreal the notion that the United States should be strictly selective in its international commitments—avoiding all cases where we are likely to get more deeply involved than we have determined beforehand we are willing to be. Things just do not work that way. "Strictly selective" commitments are as much an anachronism as a "strictly speaking" national interest. Like any policeman, a Great Power can remain prudently aloof from various imbroglions. A policeman on the beat can turn his eyes away from family quarrels, no matter how bitter and noisy, or from petty bookmaking, no matter how flagrant. But if the family quarrel should become a street riot, or petty bookmaking be taken over by a syndicate, he has no choice but to intervene. Similarly, the United States need not—and does not—meddle in everything happening all over the globe. But to try to catalogue our commitments to suit our convenience is really not within our power. It may be recalled that Dean Acheson did precisely that with regard to South Korea, that "noncommitment" quickly turned into a major war for us.

Besides, the truth of the matter is that, because we are a Great Power, we are a "committed" nation without knowing what our commitments precisely are. Our commitments are necessarily defined, to a considerable extent, by circumstance and contingency. What, for instance, is the exact nature and extent of our commitment to the survival of the State of Israel? I don't know; the United States Government doesn't know,

either; nor do the Governments of Israel, Egypt or the Soviet Union. What we will do to insure Israel's survival will depend on the kind of trouble it is in; it will also depend on the kind of trouble we are in, at the particular moment. This state of affairs will offend only the prissily tidy-minded. A precise and public definition of our commitment might, at some point, force us to choose between a nuclear war with the Soviet Union or China and a humiliating capitulation. The fewer such public definitions of our commitments we burden ourselves with, the better off we are.

Above all, I find unreal the idea, so popular on the liberal-left, that our troubles arise from something called "the cold war," and especially from a dogmatic opposition to anything carrying the odor of something called "Communism." True, some leading figures in American life—mainly in the Republican party, so far as I can see—talk this way. And it is unquestionably true that one major aim of American foreign policy is to establish or sustain a friendly and hospitable world environment.

But this last aim is shared by all Great Powers; it is attached to the very meaning of the term "Great Power." And the Administration has not been carrying on any kind of doctrinaire, ideological crusade against Communism, wherever and whenever. We are, for instance, scrupulously refraining from intervening in the present anti-Soviet and anti-Communist turmoil in Eastern Europe; we are not even saying very much about it. And there are quite a few of the new nations in Africa that have pro-Communist regimes without the Administration's even seeming to take any anxious notice of the fact.

Indeed the "cold war," properly speaking, is no longer a terribly significant fact of international life. Our conflict with the Soviet Union by now has few ideological overtones; during the last Middle East crisis, neither we nor the Soviet Union talked very much about "Communism" or "capitalism," except in a purely routine and ritualistic way. Our conflict with the Soviet Union today is much more a traditional struggle between Great Powers, in the 19th-century sense, with each protagonist trying to tilt the balance of power in its own direction. Were the Communist party of the Soviet Union to be replaced tomorrow by a Romanov Czar, this conflict would endure, and probably in much the same way.

The same is not yet true of China—but I suspect it soon will be. The Chinese Communist regime still sees itself, and frequently behaves, as the ideological center of a universal and apocalyptic sociopolitical doctrine. But with every passing year the regime becomes more chauvinistically Chinese and less Communist, in any familiar meaning of that term. In its relations with other nations in Asia and Africa, China seems impelled to act in an overbearing Chinese way, rather than in a calculating Communist way. And though we know little about the inner turmoil now taking place within China's political system, it is reasonable to suppose that the eventual upshot will be the emergence of a China which—like the U.S.S.R.—will be more interested in extending its national power than in selflessly propagating any ideology.

But there's the rub, precisely. For, in the nuclear age, there have emerged certain ground rules governing the *modus operandi* and the *modus vivendi* of Great Powers. The keystone of this system of rules is the assumption that no Great Power will attempt to revise the status quo by the use of force and violence—either directly or through a surrogate. It can use money, propaganda or various means of persuasion and intimidation, covert and overt, to tilt the balance of

power in its favor. But it cannot use force—for such use of force brings with it the prospect of a military confrontation between Great Powers, and such a confrontation in turn immediately raises the possibility of a nuclear holocaust.

This is what the doctrine of "containment" has come to mean. It is not a peculiarly American doctrine, and certainly not an intrinsically anti-Communist one, since the Soviet Union in practice also subscribes to it. It is, to be sure, a relatively conservative doctrine, since it insists that the pattern of world power change gradually, subtly, as unobtrusively as possible. But when a world walks on explosive eggshells, as ours has been doing for nearly two decades now, there is no alternative to such conservatism.

It is in defense of this version of "containment" that the United States intervened in South Vietnam. The exact historical circumstances of our intervention, over which there is now so much controversy, are not terribly significant. The involvement in Vietnam—an involvement that was sustained by three very different Administrations—derives ineluctably from the fundamental principle of American foreign policy in the nuclear age. We did not intervene in Indonesia, when that nation (so much more important than Vietnam) was apparently slipping into Communist domination, because this fundamental principle was not being challenged. We intervened in Vietnam because it was.

To be sure, there are all sorts of novel aspects to the Vietnam situation. Unlike the war in Korea, it is part civil war, part nationalist rebellion against Western influence, part military aggression by Hanoi. But then, it is the doctrine of Mao (echoed, with variations, by Ho and Castro) that exactly such "wars of national liberation" are the most productive methods of violently upsetting the prevailing policy. It is a policy clearly and unequivocally announced by leaders of "Left Communism" throughout the world. It is, moreover, a policy directed as much against the Soviet Union as against the United States—and which the Soviet Union repudiates as vigorously as does the United States.

But let us put this issue in its strongest terms. Let us concede, for the purposes of argument, that the Vietcong and its allies are fighting a just war—that they have some kind of right to govern Vietnam, that the people want them in power, that the South Vietnamese regime is without any claim to legitimacy. I think all of these propositions are false. But what if they were true? How much difference would that make, should that make, to American policy? The answer is: not much.

It is only at first sight, and at first thought, that such an answer is shocking. After all, most of us would agree that the Communist regimes in Poland and Czechoslovakia and East Germany are not more just, or legitimate, or popular than the South Vietnamese regime. Does the United States—or West Germany—thereby have some kind of right to foment civil rebellion and civil war in these countries? To send in arms and soldiers to assist the anti-Communist forces? John Foster Dulles, for a while, talked as if we did. But it was frivolous, irresponsible chatter, and when the chips were down—in East Germany and in Hungary—it was exposed as such.

The chatter subsequently stopped entirely, and American policy toward Eastern Europe has been left in no doubt. We will do what we can to encourage the evolution of these countries away from the Communist forms which the Soviet Union imposed after World War II. But we emphatically do not want them to engage in armed rebellion against Soviet domination. We do not even want them to leave the Warsaw Pact—not

abruptly, not in any challenging way. And if they do nevertheless rebel and are crushed, we shall plead their cause before the conscience of the world—but not otherwise intervene. Wars of liberation are a dangerous anachronism in the nuclear age. We shall not engage in them. And it has been the cardinal principle of our foreign policy to discourage, as effectively as we can, other powers from engaging in them.

But, after Vietnam, how does it stand with this cardinal principle of foreign policy? It stands very badly, I think—worse than anyone seems to realize. And though hunting for scapegoats—on the part of both left and right—is already beginning to look like a popular American sport, this is a futile distraction. The sad truth is that there are no "guilty men."

The Johnson Administration will have to take responsibility for the Vietnam debacle—but responsibility is not exactly the same thing as blame: The foreign policy of this Administration was no capricious innovation; it had been pre-established (even institutionalized) during the preceding 20 years. But it was the Administration's bad luck to encounter a crisis that drained this policy of its credibility.

Americans do not like to talk about "bad luck" in politics—we are powerfully inclined to think that we are always masters of our fate. But just as an individual's life and career can be radically affected by sheer luck, so can a nation's. The Eisenhower Administration was blessed by an almost uncanny good fortune. It actually landed American marines in Lebanon—an event which, though dimly remembered, is hardly believable—and got them out unscathed. The Kennedy Administration had more mixed luck in foreign policy. During the Cuban missile crisis it brought the world closer than it had ever been, or has been since, to all-out nuclear war. A slight incident, a misunderstanding of instructions on the part of Soviet or American military men, even a temporary indisposition of one of the leading political actors, could have tilted the world over the brink. But it all worked out well, and even came to be regarded as a splendid victory for resolute statesmen.

The luck of the Johnson Administration has been close to awful. To begin with, the Vietcong and the North Vietnamese have fought more obstinately, and far more effectively, than anyone anticipated, while our own military planning has shown itself grossly inept. Neither of these facts was predictable. In addition, this Administration had to conduct its foreign policy in the midst of a racial crisis, a monetary crisis and a generational crisis. Not one of these crises was of its making, but their convergence created a climate of opinion that made the Vietnam war the center of an immense controversy. The only way to end this controversy, which threatens to tear the nation apart, was either to win a quick victory in Vietnam or simply to scuttle. Neither alternative was available to the Administration, for various reasons, and so it has had to stumble on, amid growing recrimination and bitterness.

As a result of this streak of bad luck, the United States found itself trying to exercise a kind of "imperial" military power in southeast Asia, while under the influence of all kinds of "anticolonialist" inhibitions. It is the presence of these inhibitions—not any undue or reactionary affection for the landlords or merchants or generals—that has prevented us from reshaping the South Vietnamese Army into an effective fighting force (as we were able to do in Korea, under the mantle of a U.N. mandate), or reforming the various governing institutions of that nation, or simply stepping in and doing on our own a lot of important little things that ob-

viously needed to be done. Yet such inhibitions are woven into the very substance of American policy, and cannot be expunged without simultaneously doing profound harm to the spirit of our democracy and risking the perversion of our own democratic institutions. We may be an "imperial" power in terms of the responsibilities we assume, but we can never be an "imperialist" power in the way we cope with those responsibilities.

The framework within which our foreign policy must operate is reasonably flexible, but there are limits. And in Vietnam, we ran up against one of these limits and have had to fall back in disarray. It is now clear that, in practicing the policy of "containment," we cannot intervene, in a situation where such intervention might put us, for any length of time, in a "colonialist" position. We started out, in Vietnam, with what seemed to be a traditional "intervention"—limited in scope, intention and time. We found ourselves involved in a minor (if bloody) war which we could not win, since in order even to have a chance to win we would, in effect, have had to transform South Vietnam into an American colony. We should have had to appoint American officers to give South Vietnamese troops the leadership they have been lacking. American proconsuls to govern Vietnam provinces and institute overdue reforms. American educators to overhaul the absurdly antiquated educational system that the French left behind them, etc., etc. We just were not—and are not—going to do that: it goes too abrasively against the American grain. And not having done it in Vietnam, we are not going to do it elsewhere. There is not going to be any American colonial empire, acquired in some fit of "absent-mindedness."

But it is more than the anticolonialist heritage of the American republic that, as we can see, sets limits to our policy of "containment." There is also the very structure of American society today.

The policy of "containment" has assumed—must assume—a democratic citizenry prepared to fight an interminable series of "frontier wars." This assumption was gravely shaken during the Korean war, at the end of which a great many people solemnly said, "Never again." But memories fade quickly in politics, especially when they are inconvenient. And it would have been highly inconvenient, to put it mildly, for the makers of our foreign policy to believe that they could not really rely on "limited wars" to prevent the world from moving into grave disequilibrium. So they decided to think otherwise; and, for a while, they seemed to be correct in doing so. Up until only a few years ago, one could listen to Administration officials speaking enthusiastically of the "firm resolve and temperate mood" of the American people, prepared to "shoulder their responsibilities" as a world power. No one in Washington is singing that kind of song today.

It is now as clear as can be that a modern social democracy—whether it be the United States, Britain or France cannot do what most thoughtful students of foreign policy agree it ought to do, in its own interest and the world's. It cannot engage, for any long period of time, in those "limited wars" that are necessary to preserve international law and order. The Great Powers of the 19th century could do so because they relied on tightly knit professional armies; because their small, homogeneous educated classes (the makers, to all intents and purposes, of "public opinion") identified themselves with national grandeur; because economic growth and social welfare were not then thought to be the overriding obligation of Government; because the mass of the people was imbued with a kind of unthinking chauvinism that made it deferential to any official definition of foreign policy. In other words, because

they were not 20th-century social democracies.

Today, it is quite otherwise. Our educated classes are providing the social base for a new left which, like the old, regards foreign policy as a sinister distraction from the urgent need of social transformation at home. Our working class, still highly patriotic and not at all left in its ideology, nevertheless is resentful of any overseas commitments that require it to forgo those annual advances in its material comfort it now regards as "natural." Our middle class is politically belligerent and is impatient with any foreign policy that burdens it with new taxes. In addition, we have our "underclass"—largely Negro—that can understandably imagine a set of national priorities very different from that of the State Department's.

In short, it seems to be the case, after Vietnam, that American military intervention in world affairs will henceforth take one of two forms. Either it might, if sufficiently provoked, move toward a nuclear confrontation, as during the Cuban missile crisis. Or it might, if the Government is absolutely certain it can bring overwhelming force to bear, rely upon swift sorties, as in the Dominican crisis. But that large middle ground, upon which American foreign policy has rested since World War II, has now been cut away from under our feet.

Just what this will mean, in detail, it is too early to say. Our thinking has not yet caught up with our new condition. We will keep 200,000 American troops in Western Europe, despite the fact that no one can now believe they will ever fight the limited war they are there for. Only the other day Theodore Sorensen remarked casually, during a television discussion, that no future President could permit another Castro to emerge in the Caribbean (or, presumably, in Central America). He did not indicate how the President would prevent this, now that what might be called "the Vietnam option" is foreclosed. After all, Senator Robert A. Kennedy, whom Mr. Sorensen advises, has flatly announced that there must be "no more Vietnams." There would seem to be a contradiction here—not only between two men but at the heart of our foreign policy itself.

Some Administration advisers—notably Professor Zbigniew Brzezinski of Columbia—are stressing the importance of regional alliances among the nations directly involved to cope with future regional crises. But the Administration is not pushing this idea with any vigor, perhaps because it has no great faith in it. (In truth, it is hard to see any such alliance—or any such coping—in South America, for instance.) And no one seriously thinks that the United Nations can, in our lifetime, fill the vacuum that the retrenchment of United States commitments will create.

As I see it, therefore, the end of the Vietnam war will not conclude our "time of troubles," as so many now assume, but rather inaugurate a new era of even greater turbulence in international affairs—and with domestic repercussions that are bound to be massive, if for the moment unpredictable. The major threat is not that certain areas will now fall under some kind of Communist control—though, if this should happen in Latin America, it will be of no little concern to us. The truly frightening possibility is that, with an American foreign policy that forsakes sustained and limited military commitments—that abandons the policeman's role most of the world has come to expect of us even while bitterly resenting it (who likes policemen?)—those nations which feel their security threatened will have no alternative but to rely on their own nuclear arsenals. It is even conceivable that United States foreign policy will wander erratically between extremes: neoisolationist up to a point, and them—when the pressure of events becomes

unendurable—reliance on (at least tactical) nuclear weapons.

It may yet turn out to be one of the great ironies of world history that the United States and the Soviet Union should have succeeded in negotiating a nonproliferation agreement at the very moment when such an agreement could only be another scrap of paper.

WHAT WILL BE THE EFFECT OF VIETNAM ON WESTERN EUROPE?

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. STRATTON. Mr. Speaker as the war in Vietnam moves from the battlefield to the conference table in Paris today it is interesting to see a number of thoughtful and informed students of public affairs already assessing the impact on our future foreign policy of developments in Vietnam and especially of the bitter debate that has been taking place in this country over those developments.

Among the most severe critics of our Vietnam position of course have been some of our erstwhile friends and current allies in Western Europe. In the New York Times for yesterday Mr. C. L. Sulzberger analyzed what might be the impact on American commitments in Europe if we should be persuaded to abandon our commitments in South Vietnam.

So that this thoughtful article might be available to more readers I include Mr. Sulzberger's column for May 10 as a part of my remarks:

FOREIGN AFFAIRS: THE WATERSHED

(By C. L. Sulzberger)

PARIS.—The Paris conference on Vietnam marks an historical watershed quite as distinctly as that date, eleven years ago, when Russia launched its sputnik starting space exploration and the nuclear missile age. May 10, 1968 may be seen by future chroniclers as ending the brief dream of Pax Americana.

Through alliance networks U.S. strength and U.S. commitments were pledged in one or another way to every continent except Antarctica which, as a pleasant oversight, was formally neutralized. The O.A.S. in the Americas, NATO in Europe, CENTO and SEATO in Asia, ANZUS in Australia, promised American aid to keep the *status quo*. Africa was not specifically involved, but Washington found itself engaged from Morocco to the Congo.

QUINTESSENTIAL POLICY

These were phenomenally extensive obligations, assumed by a nation whose quintessential foreign policy had been the absence of foreign policy until the nineteenth century's final decade when America built its first big fleet and used it. U.S. involvement in World War I was dressed in a dream of globally imposed democracy; but the Senate destroyed the slogans and illusions conjured up by Wilson. It took a second World War to shatter the familiar power balance and suck America into the resulting vacuum.

From the vague aspirations like the U.N. and the Marshall Plan developed precise undertakings favoring American national interests—starting with the Truman Doctrine and ending in Vietnam. Now in Paris, conse-

quences of this final phase are under re-examination. It is hard to imagine any ultimate result other than shrinkage of American obligations abroad. The super-superpower finds it is not powerful enough to protect the world against itself.

Pax Americana probably never really existed except in the mind of Secretary Dulles, who fostered the idea in legal form. Truman's postwar Administration spelled out U.S. promises to Europe and reiterated hemispheric obligations. Dulles completed the circumnavigation which, through SEATO, inveigled us into Vietnam.

I hasten to underscore that once we became fully involved during the Kennedy Administration I personally shared the belief that U.S. policy, as subsequently practiced, was both logical and sane. However, the old American hankering for noninvolvement and the disinclination toward Asian commitments flourished as we grew weary of a war in which our own role waxed while that of our allies waned, and we flew over enemies who tunneled under us.

Hanoi elaborated the formidable strategy already tested earlier against France which, if it could not win the war inside Vietnam, managed to gain the upper hand inside the U.S.A. The American people proved no longer willing to finance and fight a limited, protracted conflict just as the French people, never wholly engaged, sickened of that conflict's first round.

For months there is likely to be as much fighting in Vietnam as talking in Paris, and no visible conclusion to the war. Both sides negotiate from weakness—military weakness for Hanoi and political weakness for Washington. This situation also resembles that of France in Algeria, where it had actually conquered its military enemies when persuaded by popular disinterest to hand Algeria to those same defeated enemies.

KY FOR THIEU

The American people seem ready to settle eventually on terms dressed up to look respectable, and the people of South Vietnam are simply tired of war. Saigon is governed on the theorem of Ky for Thieu and Thieu for Ky and has little left but blackmail potential to offset this sudden reversal in its ally's resolution.

It is hard to imagine any American President trying to relaunch the Vietnam war once it begins visibly to run down U.S. determination to bolster the Asian wall of dominoes must therefore shrink.

Most Europeans are content with these implications. They feel that once the U.S.A. is less committed to Asian defense it will again be more committed here. Nevertheless, troops withdrawn from Vietnam will not return to Europe.

REACTION IN EUROPE

Furthermore, while happy to see a war approach its end, some Europeans wonder about the ultimate implications. In Germany one hears: "What is an American security guarantee in NATO worth if it is controlled by American political moods or economic needs?"

It is possible we may some day look back on events begun this weekend and see either the start of a retreat to isolationism or a serious effort to join with Moscow in arranging a new order along parallel—if not cooperative—lines. Either would be a striking change.

JOSEPH ALSOP OFFERS SOME REASONED REFLECTIONS ON THE WISDOM AND BASIC IMPACT OF ARMCHAIR STRATEGISTS ON THE PROGRESS OF THE VIETNAM WAR

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to extend my re-

marks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. STRATTON. Mr. Speaker, yesterday there appeared in the Washington Post an article by Columnist Joseph Alsop which I think deserves to be read by every Member of this House and by the American people as well.

Many of us who have been to Vietnam and who have followed the progress of the war as a part of our responsibility in this House have been disturbed by differences between the military situation as we have seen it in visiting the battlefields, and the impressions that are left in the minds of Americans here at home by many of the press accounts printed with regard to Vietnam.

This "gap" becomes especially disturbing when individuals with little knowledge of military affairs and even less familiarity with field operations in Vietnam, undertake to set themselves up as armchair strategists of our war effort there. One example of what I have in mind is the bitter attack launched by Prof. Arthur Schlesinger, Jr., in the Washington Post for March 22 on American strategy at Khesanh and the soundness of the leadership provided by Gen. William C. Westmoreland.

General Westmoreland of course was right about Khesanh, as we all know now, and Professor Schlesinger was wrong. Mr. Alsop not only demonstrates why this was so but goes on to present some other information about the progress of the war in Vietnam that I think may have been largely overlooked by the American people in their rather panicky reaction to the Communist Tet offensive.

So as America moves into the new peace negotiations in Paris this week, I believe our people are entitled to know the facts which Mr. Alsop makes available, so they may indeed be proud of the job which our military forces have done in Vietnam and of the progress which our Vietnamese allies have made in their own capacity to carry on the fight for freedom. We need not apologize for our Armed Forces, nor does this record which Mr. Alsop sets forth suggest that we enter these negotiations from any position of military weakness. I believe we ought fully to understand this truth if our peace negotiations are to be truly successful.

Under leave to extend my remarks I include the very enlightening and impressive article by Joseph Alsop to which I have referred:

PRESS CAN'T WIN IN VIETNAM WAR

(By Joseph Alsop)

Because of the Vietnamese war, the American press and its allied media now appear to be between a very rough rock and a very hard place. For a newspaperman who remembers with relish and some pride no less than 36 years of active reporting, it is a dreadful thing to have to say. Yet if we win the war, as I still think we shall, both the press and the allied media will certainly look inconceivably foolish. And if we lose the war, the press will just as certainly be blamed—whenever the horrible inquest begins that

will surely follow the first defeat in war in American history.

There you have both rock and hard place, simply and crudely defined. Both the hard place and the rock result from the tone and character of the reporting from Vietnam, of the endless published analyses of Vietnamese developments, and of the interminable editorializing about the war, by all but a minority of those engaged in these pursuits. This does not mean for one moment that the vast majority of reporters, editorial writers and the rest are not courageous, industrious and honorable men, who have sought to tell the truth according to their lights. But it does mean that for one reason or another, to which I shall try to come later, the part of the truth most of them have told has conveyed an exceptionally misleading picture of the whole truth.

The easiest way to gauge how totally misleading that picture has been is to glance at the amazing letter that Arthur Schlesinger Jr. published on March 22 in The Washington Post. The letter was a plea, no doubt honestly anguished, for the immediate evacuation of Khesanh. Schlesinger began by accusing Gen. William C. Westmoreland of "repeating the fatal error of the French (by placing) a large body of troops out in the hills where they can be surrounded and cut off." This, exclaimed Schlesinger, "is precisely what we have succeeded in doing at Khesanh. Today, 5,000 American soldiers are surrounded and cut off by 20,000 of the enemy, every night creeping and burrowing further in toward their target."

DISMISSED WESTMORELAND

Putting on a borrowed Field Marshal's hat, Schlesinger then explained that no "people in their senses" could possibly "suppose that airpower will now 'save' Khesanh in case of attack." He contemptuously dismissed General Westmoreland as a "tragic and spectacular failure." He included the usual sneer at President Johnson. And so he reached his grand climax, as follows:

"Yes, airpower is one vital difference between Khesanh and Dienbienphu. For, if airpower cannot save Khesanh, it may still save the men in Khesanh. Let us (use airpower to evacuate Khesanh), before enemy anti-aircraft batteries interdict our flights, before enemy mortars destroy our landing strip, before enemy shock troops overrun the base. Let us not sacrifice our brave men to the folly of generals and the obstinacy of Presidents."

In short, Schlesinger was firmly convinced, as late as March 22, that Khesanh and its defenders were sure to be overrun. If his conviction had not been absolute, he would hardly have risked writing such a letter, which he can hardly look back upon today without novel self-doubts. But—and here is the rub—much of the American press and most of the allied media need only read the Schlesinger letter to see themselves, as in a mirror. He was perhaps overeager to believe the worst, and he seems to have taken very poor military advice. But he was above all misled by his informants; and his chief informants, one may be sure, were the front pages and the television shows. "The agony of Khesanh" was one of the current phrases, and others might be cited.

TEDIOUS BATTLE

What, then, was it really like, and what actually happened? To begin with, Khesanh was no more agonizing, though it was a damned sight more tedious and long drawn out, than any other combat experience. We had four battalions in Khesanh—the 26th Marine regiment plus a battalion of the 9th Marines—and the South Vietnamese, of whom Schlesinger appears not to have heard, had the equivalent of two battalions. Like any battle, Khesanh produced its honored dead, for that, alas is what battles always do.

But between the beginning and the end of the siege, the American units at Khesanh actually lost, in killed, not many more than 200 men, whereas a single battalion of Marines lost 70 killed—about one third of the comparable losses of four battalions at Khesanh—in the recent hard and heroic fight for Daido, which lasted only a few days.

At Khesanh, again, the American casualties mainly resulted from enemy artillery and mortar fire, rather regularly described as "infernos of incoming." And this was a fairly curious phrase for an enemy rate of fire that averaged only 192 artillery and mortar rounds per day throughout the siege. When I was there for a bit more than a day, for instance, the Khesanh base took 154 incoming rounds. That was a bit below average, but it is still worth noting that except for four badly misaimed rounds fired at the landing zone when I was waiting for a departing helicopter, I actually heard a grand total of three incoming rounds. And despite other infirmities, I am not yet deaf, and the tough and able Khesanh commander, Colonel David Lownds, kindly allowed me to accompany him on a long tour on foot around the whole big base, with the exception of South Vietnam positions and the hill-outposts held by our Marines beyond the perimeter.

FAILURE OF GIAP

The truth is, indeed, that one of the major but untold stories of Khesanh was the astonishing failure of General Vo Nguyen Giap's logistical planning for his artillery. Besides mortars, Giap had caused to be employed, with infinite labor, a minimum of 210 artillery tubes—some estimates go as high as 370 tubes—on a long arc from Co Roc in Laos, along the DMZ, to Cap Muy Le on the coast. Giap had the guns, in short; but at Khesanh and along the DMZ his really ludicrous average rate of artillery fire, again excluding mortars, was less than one round per gun per day in the period of the siege.

Nor is that the end of the story, by any means. On March 21, the day before Schlesinger published his letter, the last of the serious assaults on Khesanh was attempted. It failed in a most sanguinary fashion because of our Marines' courage and the terrible power of our air and artillery. There were either three, or four, or five such attempts in the course of the siege—the number is disputed among the Marines themselves—and all failed in the same manner.

The failure of the last assault, so beautifully coordinated with the Schlesinger letter about Khesanh being "over-run," seems to have been the signal for the withdrawal into Laos of one of the two besieging North Vietnamese divisions, the 325C. This was, in fact, the beginning of the end of Giap's ambitious plan. Despite the inability of "people in their senses" to imagine anything of the sort, air power was already starting to break the Khesanh siege when Schlesinger wrote his letter; for it was the air that hurt the enemy most cruelly and forced the 325C to withdraw to lick its wounds. The situation of the besiegers at that time can be gauged from one of the pitiful little diaries that the North Vietnamese troops quite often keep. The diary of a private named Vu Xuan Mau, was picked up outside the Khesanh perimeter after the siege was formally and finally broken into the first days of April. Mau's last entry was: "At Khesanh on March 23 a day full of bitter hardships and bloodshed."

MASS BURIALS DISCOVERED

The agony of Khesanh was in reality experienced, not by our brave, hardy but relatively fortunate men in the combat base, but by the unhappy wretches like Private Mau. They were condemned to endure close on three months of incessant and terrible B-52 strikes, plus other air attacks, plus the kind

of artillery fire that is maintained by U. S. guns with full logistical support. And what they endured took a fearful toll.

When the 1st Battalion of the 9th Marines moved out from the perimeter on April 4, prisoners of war immediately began to be taken, documents far more important than poor Mau's diary began to be found, and mass burials began to be discovered. The most careful analysis of all the resulting data has now revealed that the two enemy divisions at Khesanh, the 325C and the unfortunate 304th, which had to hang on to the end, almost certainly lost a total of about 10,000 men in the course of the siege. And in the grim mathematics of war an exchange of 200-plus Americans (and a proportional number of South Vietnamese) against 10,000 North Vietnamese regulars, is the very opposite of a "tragic and spectacular failure."

Once again, moreover, that is by no means the end of the story. Unless General Vo Nguyen Giap is stark, staring mad, the siege of Khesanh was unquestionably no more than one part of a much larger, more ambitious military plan, the Tet offensive. And we should give thanks on bended knee that General Giap saw fit to tie up two of his divisions at Khesanh as part of his Tet plan. In the entire morass of nonsense published about Tet, very little indeed has been said about the one really dangerous situation that the offensive temporarily produced.

This was in the two most northerly provinces of South Vietnam. Here much was written about the long, rough battle for Hue; but almost no attention was given to the disturbingly precarious supply situation caused by bad weather, the weight and persistence of the enemy attack, and the resulting breaks in all the usual supply lines. The position might well have become really unmanageable—the two most Northerly provinces might even have been partly overwhelmed—if Giap had massively increased the weight of his attack in the two-province area, by using the two divisions that were fruitlessly tied up at Khesanh.

TOO LITTLE, TOO LATE

He saw his error soon when the Hue fighting began. He took two battalions apiece from the two divisions at Khesanh, and he marched them south to aid his troops at Hue; but this was too little and too late. Whereas if General Westmoreland had not committed that "tragic and spectacular" error of refusing to abandon Khesanh, two additional North Vietnamese divisions would have been freed, pre-Tet, for other uses in the two Northern provinces; and if that had happened, the consequences would surely have been grave.

Compare, then, these hard facts concerning Khesanh and the fighting there with the picture of Khesanh conveyed by Arthur Schlesinger, who is, after all, an exceedingly intelligent albeit a violently partisan man. Remember, too, that this disparity between the reality in Vietnam and the picture given to the folks back home has been a standard phenomenon throughout much of the war. Countless examples might be cited, but one more must suffice. The most instructive, probably, is the constant denigration of ARVN that was a pre-Tet fashion in large sectors of the American press. This even earned a mention in dispatches by General Westmoreland for the newspaper that claims preeminence and one of the leading agency reporters in Vietnam.

In a message to the Defense Department, General Westmoreland addressed himself to one of the real puzzles of the Tet offensive: how on earth General Giap could have based his whole plan on the stated expectation of a "general uprising" by the urban population and of widespread defections among the ARVN units. On the second point, General Westmoreland noted that Giap had demon-

strably been lied to, on an enormous scale, by the special "troop proselytizing" apparatus of the VC. But he added that he could hardly blame General Giap for being deceived, since the lies of the VC "troop proselytizing" apparatus had appeared to be so largely confirmed by the great American newspaper and the famous press association mentioned above. With mild irony, he concluded that these latter must now appear in Hanoi as important participants in a big American deception-plan—for there were no defections anywhere, and almost all the ARVN units, 'though understrength because of the national holiday, fought very well indeed at Tet.

R. F. K. SPEECH BRINGS ANGER

Meanwhile, however, the denigration of ARVN had already fed back into the American political scene. In a Senate speech, for instance, Sen. Robert F. Kennedy described the South Vietnamese troops as "skulking and malingering" while our Marines carried the burden of the battle for Hue. The news of the Senator's speech reached Vietnam while I was in I Corps, and I have rarely seen angrier men than the Marine officers who had fought in Hue along with South Vietnamese. Nor was this surprising. In their impact on an obstinate enemy, and in the sacrifices they made themselves, the South Vietnamese in the Hue battle performed almost identically with our own Marines.

They had, for example, 7704 men engaged, and they took 2134 casualties, suffering losses almost exactly proportional to our losses which were happily quite substantially smaller, since we had substantially fewer men engaged.

Furthermore, the South Vietnamese in Hue were fighting under heavy handicaps, as compared with our men. They almost wholly lacked the tanks and other big weapons that gave our units much greater organic firepower. Their arrangements for replacements were much more primitive than ours; and after the first days of sharp contact, not a few ARVN battalions had to fight on, and did fight on, after they had been reduced to 200 men or less. Furthermore, they were frequently called upon to attack, and regularly did attack, when they had to traverse over a hundred yards of the enemy's field of fire before they could bring their own weapons to bear.

That highlights another point of great significance, that was wholly omitted from the pre-Tet denigrations of ARVN. Briefly, General Westmoreland saw trouble ahead, and asked for M-16 rifles and other improved equipment for ARVN as long ago as 1965. For budgetary reasons, apparently, action on Westmoreland's request was long deferred by Secretary of Defense Robert S. McNamara. Thus, on the one hand, the ARVN units have always been immeasurably weaker than our units, in organic firepower, in all sorts of back-up resources, and above all, in mobility—and they will still be much weaker, despite the M-16 rifles that are now being provided at long last. And on the other hand, there was a long period when the ARVN units even had substantially less firepower than the newly re-equipped VC and North Vietnamese units.

KOREAN STORY AGAIN

Here we have the story of Korea all over again; for the Korean divisions were also denigrated during much of the Korean war, whereas their main weakness arose from the simple fact that they had been grossly under-armed by their American suppliers. This does not mean, to be sure, that ARVN has ever been an ideal army, or that better weapons and more mobility will automatically make ARVN into an ideal army. When President Johnson finally intervened in earnest in Vietnam, ARVN was already a defeated arm, and every ARVN officer knew

as much. It takes some time to bring back a defeated army to a state of self confident proficiency. It takes even more time, too, to implant a fully modern military system in a traditional Asian society; and this process was not really completed in Korea until President Chung Hee Park finally came to power. Patience is always needed in such matters. But instead of patience we have too often had the kind of shameful injustice Senator Kennedy was led to commit.

When I ask myself why Sen. Kennedy and so many others have been so regularly misled on so many key points concerning the war, I confess to a certain bewilderment. The fashions of the moment certainly have much to do with it. What has happened in Vietnam in this war resembles, on a vastly larger scale, what happened in the press hostel in Chungking in the war years in China. The fashion then was to make heroes of those virtuous agrarian reformers, Mao Tse-tung and his bloody-minded friends; and just about the only American reporter to avoid making an ass of himself by refusing to follow the fashion was Arch Steele of the old "Herald Tribune." Then too, in the Dien years in Vietnam, certain newspapers acquired what can only be called a vested interest in disaster; and since these were the Saigon bureaus with the greatest continuity, they had great leverage with late-comers. Then again, among younger newspapermen particularly, there is a strange new theory that all American officials and most American military officers are joined together in a vast conspiracy to gull the home folks, which it is the reporter's duty to attack and expose, as though he were attacking and exposing corruption in City Hall. It seems an odd approach to an American war, but it is certainly there.

NOT A HOPELESS WAR

This does not mean for one moment that the pessimists have always been wrong, or that the minority of optimists have always been right. As I look back over my own coverage of the war, I think I have been broadly right about the war's larger patterns, both when I was very much more gloomy than any of my colleagues in the year prior to the American intervention, and after the intervention when I have been more hopeful than most. On the other hand, although I think I got the patterns right, I am well aware that I have sometimes been over-optimistic about the war's time-frames—in part, as over-reaction to the sort of stuff that was so widely written about Khesanh. Yet the fact remains that this has never been, and it is not now a hopeless and unending war; and conveying just this impression has been the main thrust of far too much of the reporting, analyzing and editorializing.

So we get back to that rock and that hard place. Concerning the hard place, it must first of all be remembered that the Hanoi war-leaders' aim has always been to win the war in Washington, by the impact in America of their seeming success in Vietnam, just as the Viet Minh won the French war in Paris rather than at Dienbienphu. Here it is worth noting that the official Hungarian Communist newspaper some time ago published extracts from a strikingly interesting lecture on Dienbienphu, given by General Vo Nguyen Giap during a visit to Hanoi by Hungarian Foreign Minister Endre Sik.

"The battle of Dienbienphu," Giap was quoted as saying, "was essentially the last desperate exertion of the Viet Minh. . . . Had we not been victorious there . . . our armed forces were on the verge of complete exhaustion. . . . We had to put everything on one card." There are many reasons for believing, and Douglas Pike and all the other truly informed analysts in fact believe, that the motives for the Tet offensive were that Hanoi was in serious danger of losing the war of attrition, and therefore "had to put everything on one card." A major publication that

at first reported the Tet offensive in the most lurid and gloomy terms, more recently came around to the view that Tet was a military defeat but a "psychological" success for the enemy. Yet if Tet was a "psychological" success, this was almost solely because the offensive's military motives, its true military results and most of its local effects were in the main painted in colors in America that had few recognizable links with the basic realities in Vietnam.

TO DESPERATE LENGTHS

That was the reason, of course, why Tet was so profound a shock to American opinion. Having put so much "on one card" at Tet, the Hanoi war planners are plainly going to the most desperate lengths, in order to try the same thing all over again. What the outcome will be, and above all, how it will be represented here at home, none can foretell. What the Hanoi war leaders will do if their next attempt fails or is aborted, also cannot be foretold precisely—although it is clear that they will then be in very bad trouble in South Vietnam.

Again, one cannot foretell with precision the effect of the talks, the partial bombing halt, and any future extension of the bombing halt, either in time or in area—but it is clear that the Hanoi war leaders are already beginning to exploit to the full the reduction of pressure, the release of resources by the partial bombing halt and the general easing of their situation that these factors have produced. Unless the President is very firm and very clear-minded, all this may perhaps produce exceedingly worrying consequences on the battlefield, at any rate for a certain period.

The main thing is that the war-situation has at length begun to have a strongly climactic smell. Hence, if the American people have the sturdiness and resolution not to imitate the French, an acceptable end of the war should therefore come into sight eventually, whether at the negotiating table or in other ways. Meanwhile the trouble is that a near-French mood, God save the mark, has been created in many quarters in America. But if this mood leads to final defeat, and there is a subsequent inquest—as there will surely be—the inquest cannot take the form it did last time. There will be no unlucky foreign service officers to serve as convenient victims, although they had far less influence on events and displayed considerably better judgment than most of the denizens of the Chung King hostel. In the next round (which Heaven forbid), the press and the allied media can hardly avoid being front and center. And if there is a next round, the American people's notable distaste for defeat in any form will probably insure even more injustice and ugliness than we experienced in the last round.

So I can only hope that instead of the hard place we get the rock—which means a great many people looking—idiotically silly because we have finally won the war they said could not be won.

AMERICAN SOKOL ORGANIZATION

Mr. MINSHALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. MINSHALL. Mr. Speaker, across the Atlantic, in the heart of Europe, there is presently a revolution going on. It is not a bloody revolution but it is far from "quiet." Correspondents in Central Europe, editorial writers in the United States, Government officials, and diplo-

mats, are evaluating the events occurring in Czechoslovakia. This country, which until its domination by the Nazis in 1938, was famous for Thomas G. Masaryk's democratic regime and whose people were called "the Yankees of Europe" are again raising their heads from 30 years of dictatorship. The reports are encouraging. I certainly hope that the reform of the regime will continue its uninterrupted course as it has for these past few months. There must be no outside—and I specifically mean no Communist—interference in Czechoslovakia's bloodless revolution.

The United States of America has again honored the agreement of 1944 among the great powers of Great Britain, France, and the Soviet Union that the self-determination of the people be respected. It was the Soviet Union and her Communist leaders who in 1948 did not respect this agreement and brought unto the Czechoslovak people the Communist dictatorship.

Recently a group of Americans of Czechoslovak origin met in Chicago. They are known in this country as American Sokols, a gymnastic and educational organization founded in the United States in 1862, they have for more than 100 years promoted good citizenship and a sound mind in a healthy body through gymnastics.

There are 75 units throughout the United States, more than 100 throughout the world. They have contributed immeasurably to the culture of the United States.

Their brother and sister Sokols in Czechoslovakia were persecuted by the Communist regime in 1948 and all Sokols properties and the organization were dissolved.

Now Sokols in Czechoslovakia are also rising to free themselves from the tight control of communism. The American Sokols recently approved a resolution on their behalf so that the Sokols in Czechoslovakia can be encouraged in their efforts.

I wish to enter their resolution, signed by the executive committee and the district presidents, in the RECORD with my wholehearted support.

We the members of the Executive Board and the President of the Six Districts of the American Sokol Organization, assembled in conference in Chicago-land, represent 75 units fostering physical fitness programs in the United States of America for more than a century endorse the following resolution:

"RESOLUTION REGARDING CURRENT EVENTS IN CZECHOSLOVAKIA"

"The events taking place in Czechoslovakia within the past month have had an enthusiastic repercussion in the United States. They have conclusively confirmed our firm conviction that the Sokol ideals and training are so deeply embedded in our people that they could not be eradicated even under two decades of violent dictatorship. Where formal training and education were not openly possible, the ideals were still kept alive and instilled in the minds of children.

"Now the Sokol, as well as many other forbidden activities, are being reactivated. A general upsurge to employ the long pent-up desire to take an active free part in the fate of the nation is sweeping ahead at an unbelievable pace.

"All of this is being done by the people themselves. No aid has come from the outside. All segments of the nation are involved, from the writers, students and highly educated to the common workers. Almost unanimous is the desire to live out actively again Komensky's great prophecy, 'When the storms and tornadoes of the times have passed, the rule of your land will again come into your hands, O my people.'

"Twenty years of a model republic, 1918 to 1938, were great enough to overcome 30 years of oppressive dictatorship, 1938-1968. The entire world is marveling at what is occurring, not only because it is happening but the intelligent disciplined manner in which it is being done.

"Twenty-five hundred Sokols from every section of Czechoslovakia are now attending a convention in Prague. We wish them well in their efforts to again, openly and proudly, reactivate the democratic ideals, purposes, aims and goals of the Sokol founders and those who carried on for so many decades."

American Sokol Organization, 5611 West Cermak Road, Cicero, Ill., 60650. (Signed) Stanley Barcol, President; Blanche J. Cihak, Vice President; George C. Basta, Vice President; Betty Prener, Secretary; Ann Falta, Financial Secretary; Edward Linhard, Director of Men; Lorraine Zdenek, Director of Women; Emile Pekar, President, Northeastern District, Cleveland; Charles Zraly, President, Eastern District, New York; Joseph Drnek, President, Central District, Chicago; Edward Pavoucek, President, Western District, Omaha; George Pevratil, President, Dallas; George Spanek, Pacific District, San Francisco.

REPORT TO THE PEOPLE OF THE SECOND CONGRESSIONAL DISTRICT

Mr. JOHNSON of California. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. JOHNSON of California. Mr. Speaker, events of the past few weeks have held great significance for all the people of this Nation and the world. Of paramount significance are the talks relating to the war in Vietnam and peace in Southeast Asia.

As one who has supported the President's efforts to achieve an honorable peace in this war, I hailed his decision to reduce the bombing of most of North Vietnam in what proved to be a successful attempt to bring this issue to the negotiating table. Now it is my fervent

hope and prayer that these preliminary talks, which are now just getting underway, will lead to a cease-fire in all of Vietnam, North and South, and this will be followed by a true peace which will permit the return home of the troops now fighting in Southeast Asia.

Until Communist aggression is halted and the peoples of South Vietnam can follow the free course of self determination which after all are the basic issues of this war we must continue to provide adequately for the troops now stationed in Vietnam. The attacks of the past few days by North Vietnamese regulars upon Saigon prove beyond question the absolute necessity of maintaining a strong and vigilant position until we can achieve a realistic and effective cease-fire.

Here at home we face major domestic problems including the riots which swept many of our cities during the past month. After personally witnessing the disturbances in our Nation's Capital my lifelong belief in the importance of maintaining law and order was reaffirmed. We must have law and order. Our police and firemen at local, State, and Federal levels must be respected.

Under our Constitution we have freedom of worship, freedom of speech, and the right to assemble peacefully. However, when demonstrations become disorderly, civil disobedience, looting, burning, vandalism, and deaths result. The lawbreakers must be caught, tried, and sentenced in accordance with the laws of the land.

In recent years, the Nation has made tremendous advances in the field of civil rights. This has been accomplished, however, through the efforts of responsible people of all races, creeds, and color using legal means. In our society, this is the only way that this type of progress can be achieved.

Another major issue of our times is inflation and its erosion of our economy. Just a few days ago House and Senate conferees agreed on a tax increase and a reduction-in-spending package aimed at curbing inflation by reducing Federal spending.

The tax increase recommended would, in effect, restore about 50 percent of the tax reduction voted by Congress in 1963. Even with the added surcharge which will be in effect for 15 months, assuming Congress and the President give final approval to the package, individual income-tax rates would be lower than they were prior to the 1963 tax cut. These tax rates would be substantially below

the peaks which were achieved during the Korean war.

The House-Senate conference committee coupled the tax increase with a \$6 billion reduction in spending. Just how this reduction will be accomplished has not been detailed. While I firmly support the policy of economy in government, we must also insure that cuts made in the name of economy are not reductions which in the long run will prove costly to the Nation.

As an example I cite the public works programs which, for many people, might appear on the surface to be a reasonable place for reductions. I personally oppose crippling cuts in public works projects because they are most beneficial to the economies of the areas concerned, especially in regions such as the Second Congressional District. In water and power development, the investment made by the Federal Government is returned to the Treasury through the sale of water and electrical energy, through the flood protection which is offered to our communities, and other benefits.

Adequate access also is essential to the resource and recreation economy of our Second Congressional District. Slowing down a sound road and highway development program would disrupt our economy and cannot be tolerated. As a member of the House Public Works Committee I have worked consistently for a sound road and highway improvement program and firmly believe we must continue this development.

National security, civil rights, law and order, the state of our Nation's economy, resource development are only a few of the many difficult domestic and international problems which your Congress faces in these difficult times. There are many other issues to be considered—education, agriculture, consumer matters, housing, transportation, to name but a few. With congressional sessions lasting for 9, 10, and 11 months out of the year, I have only limited opportunities to return to California and visit with you personally on these important matters; so I hope you will keep me advised of your views through correspondence.

One way I have attempted to solicit your views is through my annual legislative questionnaire. As part of this report to the people of the Second Congressional District I am distributing the results of my 1968 legislative questionnaires which are printed below. I have found the results very enlightening and informative, and hope you will, too.

QUESTIONNAIRE RESULTS, 1968

	Percent	Percent		
		Yes	No	Undecided
1. Is President Johnson doing a good job?		23.78	57.96	18.26
2. Which course of action should we follow in Vietnam? (check only 1):	Percent			
(a) Withdraw	29.08			
(b) Continue limited warfare in South Vietnam without bombing North Vietnam while seeking peace through negotiations?	8.72			
(c) Continue bombing North Vietnam and take all other steps necessary to achieve a military victory while continuing to seek peace through negotiations?	57.00			
Undecided	5.2			
3. Should an income tax surcharge be enacted, coupled with a reduction in Federal spending, to finance the war?		37.44	49.74	12.82
4. Do you favor elimination of occupational and graduate student draft deferments?		46.32	45.22	8.46
5. Do you favor an incentive program which would give new life to the 2d district gold mining industry?		72.54	13.62	13.84
6. Do you support legislation, including the Safe Streets Act, to strengthen local and State law enforcement agencies?		81.78	8.70	9.52
7. Should we continue a Federal program of public works development, including flood control, irrigation, and highways?		78.60	12.74	8.66
8. Do you support expansion of the Federal Government's program for vocational education?		52.64	33.94	13.42
9. Should the Federal Government require lending agencies to state clearly complete interest charges?		91.92	3.90	4.18
10. Should illegal possession, distribution and manufacture of LSD and similar drugs be made a Federal offense?		86.80	7.68	5.52

TRIBUTE TO GOV. LURLEEN WALLACE

Mr. BEVILL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BEVILL. Mr. Speaker, I have just returned from Alabama where I attended the funeral services of our late Governor, the Honorable Lurleen B. Wallace. I rise now, Mr. Speaker, to join the thousands who have paid tribute to this gracious, gallant lady.

The hearts of all Alabamians are filled with sorrow over the untimely death of Governor Wallace. She was an outstanding individual, unique in her courageous devotion to her family, her State, and her country. She served her people in the very highest tradition of leadership.

Governor Wallace undertook her duties as Governor of the State of Alabama with the unswerving determination to do a good job. And she held steadfast to this goal throughout her term as Governor.

Lurleen Wallace believed in, and fought for, the kind of things that have made this country great: Belief in the people and their ability to determine their own destiny.

Thousands of words, favorable and unfavorable, have been written about her service as Governor. But there can be no disagreement in judging her character. For our Governor possessed courage seldom surpassed. She possessed a quality of character that strengthened her in the face of overwhelming adversity. And she possessed the great dignity of simplicity.

As judged by our length of time, Gov. Lurleen Wallace's life on earth was but a twinkle in the vastness of the universe. But measured by devotion to those things she believed in, her life will never cease, but live on as a gift of courage for all mankind.

FEDERAL GROUP LIFE INSURANCE

Mr. HANLEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HANLEY. Mr. Speaker, in the vast and intricate compilation of Federal statutes and regulations known as the United States Code, there are bound to be some inequities and anomalies. And, unfortunately, amidst the morass of subtitles, technical phraseology, and minute distinctions contained in this code, it is not hard to lose sight of the very real fact that somewhere, at some time, even the smallest and seemingly most insignificant line of one of our statutes will have extremely important, personal, and immediate consequences for some individual. To that individual, the law is neither abstract nor insignificant. It may

bring welcome and needed relief or an increase in hardship and misery. But regardless of the direction of the effects, the law becomes for this person a vital and dynamic force which seems to bear little resemblance to the inert and passive set of printed words contained in the voluminous pages of one of our statute books. Consequently, we have an obligation to see that the dynamic force which is the law can operate free from the inequities and inadequacies that can cause undue hardships to those persons directly affected.

It has come to my attention that just such a deficiency exists in one of our Federal statutes, and today I am introducing a bill designed to remedy the situation. The problem exists with the Civil Service Commission's regulations pertaining to group life insurance. Under 5 U.S.C. 8705(a), if an insured Federal employee dies without designating a beneficiary or leaving a surviving spouse, the insurance proceeds would go "to the child or children of the employee." Unfortunately, neither chapter 87 nor the Civil Service Commission's regulations define the term "child." This omission seems particularly anomalous in view of the fact that the section of the code which covers survivorship annuities under the Retirement Act defines the term "child" as including an adopted child, and a stepchild or recognized natural child who lived with the employee in a regular parent-child relationship; and for purposes of health insurance a child is defined as an adopted child; and a stepchild, foster child, or recognized natural child who lives with the employee or annuitant in a regular parent-child relationship.

The inconsistencies and discrepancies revealed by these definitions, and the inequities they cause, demand our corrective attention. Many Federal employees who provide parental support for children living with them "in a regular parent-child relationship" can leave virtually no assets other than the group life insurance benefits, the survivor annuities, and the health insurance benefits which the surviving children can continue to receive. Congress has already acknowledged the wisdom and the justice of these benefits by authorizing such insurance programs. Does it not then seem rather arbitrary and unfair to permit a foster child to receive benefits under the terms of the health insurance plan, but deny the same foster child the right to obtain survivor annuity under the civil service retirement law upon the death of the employee or member parent? And is it not even more incongruous to make the foster child or the stepchild ineligible to receive the same benefits from the Federal employee's group life insurance that the legitimate child of the deceased employee would receive? Clearly, these restrictions do not withstand the test of reason.

The remedial legislation which I am introducing today consists of four sections designed to correct the inadequacies of the present law:

Section 1 of the draft would add a new sentence to section 8705(a) of title 5, United States Code, to make a stepchild

and a foster child, living with the employee in a regular parent-child relationship, but not the descendants of a deceased stepchild or a foster child, eligible to share in the distribution of proceeds from Federal employees' group life insurance to the same extent as a legitimate child of the deceased employee.

Section 2 would entitle a foster child who lived with the employee or member in a regular parent-child relationship to survivor annuity under the civil service retirement law upon the death of the employee or member parent.

Section 3 of the draft would exempt the survivor annuity made payable to a foster child by section 2 from the statutory requirement that money in the retirement fund may not be used to pay new retirement benefits until an appropriation is made to cover the cost.

Section 4 stipulates that the benefits provided by the draft will apply only in the case of an employee or a member who is separated on or after date of enactment.

This Congress has faced, and is now facing a number of enormously complex pieces of legislation involving the expenditures of millions and affecting the lives of thousands. The bill I am introducing today is not of this magnitude, but to those directly affected by the loopholes in the present law, the proposed changes will be meaningful indeed.

THE KANSAS CITY RIOT

Mr. RANDALL. Mr. Speaker, I ask unanimous consent to extend my remarks in the body of the Record.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. RANDALL. Mr. Speaker, although it has been 3 weeks since its printing, I have just come across an editorial appearing in the Jackson County Sentinel, published at Blue Springs, Mo., in our congressional district, under date of Thursday, April 25, 1968.

The editorial, entitled "Riots, Thieves, Cops, and Other Nasty Words," was written by Mrs. Lois Lauer Wolfe, publisher of the Sentinel. Mrs. Wolfe is at present a regional director of the National Federation of Press Women, a past president of the Missouri Press Women, and a past president of the Kansas City chapter of Theta Sigma Phi, a women's journalism fraternity.

There may be a few controversial terms in the editorial, including the best way to describe the racial strife which happened in Kansas City, Mo., during the second week of April 1968. But whether we call this public disturbance a "riot" or "civil disorder," the facts are that there was much violence in Kansas City, and any good dictionary will list as one of the best synonyms of the word "riot," the words "violent disorder."

After a careful review of the editorial, I am convinced more than ever that Kansas City Police Chief Kelley did a remarkable job. I am also positive Gov. Warren E. Hearnes exercised good judgment to call in the National Guard at the

very beginning of the trouble rather than wait until the presence of the Guard would have been ineffective, as was proven in so many other cities.

Mrs. Wolfe's reference to Time magazine's description of our difficulties in Kansas City is particularly hard-hitting when she notes Time referred to our law-enforcement officials as "cops" instead of the ordinary description of "policemen." I recall Time applauded the orders given to the Washington, D.C., police to "look the other way and ignore looters." This publication should understand different orders were passed down to the police in most of the Middle West where Kansas City is situated. Out there, to the credit of their superiors, police were told to enforce the law against all thieves, looters, and arsonists. Time magazine casts a most unfair reflection when it lowers itself to describe our honest, dedicated, and yet underpaid, law-enforcement officials with the intentionally derogatory description of "cops."

Mrs. Wolfe deserves commendation for being critical of a magazine such as Time which approved of all those cities who turned their looters and arsonists free. She also deserves our praise for defending Chief Kelley against the "bleeding hearts" who would try to fire the chief of police simply because he was trying to enforce the law.

Mrs. Wolfe's editorial follows:

RIOTS, THIEVES, COPS, AND OTHER NASTY WORDS

(By Lois Lauer Wolfe)

The recent riots in Kansas City and the metropolitan newspaper's euphemistic description of them as "disorders" makes me wonder how many persons are actually influenced by a news media's choice of words and how many persons are able to see the bias that shines through.

"Disorder Data"—what a cute term for the poor victims of the burning and looting to see their losses listed under. There have been race riots in Kansas City in previous years, but Star readers of course do not know this, and it took several days for them to break down and apply the word "riot" to the current incidents.

I believe that this choice of words and the reporting that accompanied them are partially responsible for the attitude of the "bleeding hearts" who want to fire their chief of police for controlling the riots.

They make it sound like the police started the whole thing with their tear-gas at city hall. Are they forgetting that it started considerably earlier than that, with a lack of discipline and school officials who couldn't control their students? Are they forgetting a long, long march down our public streets that some news media made sound like a happy, joyous carefree batch of schoolchildren out for a holiday? The police will tell you that the "provocation" occurred long before the arrival at city hall, with the gang yelling "This town'll burn tonight" and other threats as they went, and the preachers along the side telling the white people "watch out for rocks!"

My opinion is that the police should have surrounded the whole batch as they marched up I-70 and put them all in jail on charges of creating a nuisance, blocking traffic, and obstructing a public thoroughfare. And the arrests should have included Mayor Ius Davis, who made an ass of himself by marching along leading the law-breakers.

I am unable to understand the attitude of Time Magazine which approved of all the

towns who did nothing (and of those who turned their looters and arsonists free even after arrest) and criticized Kansas City for having enforced the law and attempted to keep order. They referred to "the carnival air that pervaded the looting mobs. 'Hell, I can't kill a kid running away with two sport coats,' said a Chicago cop." Since when have "looting mobs" been a "carnival"? If I were the store owner, I certainly would have shot at the looters. Incidentally, who told the policeman he had to shoot to kill? Why couldn't he have shot the kid in the leg so he couldn't run and then arrested him as a thief?

In all the furor over "Civil rights (which are apparently only rights that belong to Negroes), where have we lost the rights of the decent, law-abiding citizen to protection of his life and property?"

And why, may I ask, are these same law-abiding citizens allowing their ministers and preachers to stand on the side of thieves, arsonists, and criminals? It's a good thing I withdrew from the Methodist church in the last presidential election when they chose to stick their noses where they didn't belong. The preachers picketed Republican headquarters (I'm a Democrat, but I don't play politics that way, and when the head of the Methodist church announced he was speaking for so many million Methodists, all I could do was cease to be a Methodist, because he certainly wasn't speaking for me). And here is the Methodist "church" again, calling for the dismissal of Police Chief Kelley, who did a remarkable job, along with the sheriff's department and the national guard, of trying to protect a lot of Methodists and their property.

I want to give three cheers for the man who wrote a letter to the Star Friday expressing his delight on attending Easter services in Hiawatha, Kan., and hearing a sermon about God and the Resurrection "instead of the philosophical, socio-political, existentialism gobbledygook that I became accustomed to hearing in the various churches of my own denomination in Kansas City." There are a lot of us in the congregation who feel the same way.

Words can be inflammatory and provocative. Would calling the incidents "riots" have provoked more people to riot? Or would it have provoked responsible people to help the law enforcers.

Time's description of the results in Kansas City was summed up by "a rampage resulting in 250 fires, \$500,000 damage in looting and burning, 65 injuries and six deaths—all of them Negroes shot by cops."

I believe that's enough damage that they should have been called thieves, looters, and arsonists, instead of Negroes (capital N) if the same sentence is going to refer to "cops" instead of a simple, dignified, respectful term like "policemen."

Time's sentence is "inflammatory and provocative" to me. It's provoking me to put my thoughts in writing, and I hope it inflames a whole lot of respectable citizens who will stand up for the belief that the police have a right and a duty to enforce the laws.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CUNNINGHAM (at the request of Mr. GERALD R. FORD), for today, on account of family illness.

Mr. TENZER (at the request of Mr. ALBERT), for week of May 13, 1968, on account of illness.

Mr. FRASER, through May 21, on account of official business.

Mr. PEPPER (at the request of Mr. ALBERT), for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. CURTIS, for 1 hour, on May 14, 1968; and to revise and extend his remarks and include extraneous matter.

Mr. DINGELL (at the request of Mr. MONTGOMERY), for 60 minutes, today, and to revise and extend his remarks and include extraneous matter.

Mr. FEIGHAN (at the request of Mr. MONTGOMERY), for 10 minutes, on May 14; and to revise and extend his remarks and include extraneous matter.

EXTENSIONS OF REMARKS

By unanimous consent, permission to extend remarks was granted to:

Mr. EDMONDSON in two instances and to include extraneous matter.

Mr. DULSKI in three instances and to include extraneous matter.

Mr. TUNNEY and to include extraneous matter.

Mr. RANDALL.

Mr. PHILBIN in five instances.

(The following Members (at the request of Mr. WYLIE) and to include extraneous matter:)

Mr. BYRNES of Wisconsin.

Mr. QUILLIN in four instances.

Mr. WHALEN.

Mr. WINN in two instances.

Mr. REINECKE.

Mr. ASHBROOK in two instances.

Mr. KUYKENDALL.

Mr. SCHERLE.

Mr. GOODLING.

Mr. CURTIS.

Mr. FIRNIE in two instances.

Mr. AYRES.

Mrs. REID of Illinois.

Mr. MICHEL.

Mr. FINDLEY in two instances.

Mr. GUDE.

Mr. SCHWENGEL.

Mr. CAHILL.

Mr. DELLENBACK.

Mr. STEIGER of Wisconsin.

Mr. KLEPPE.

Mr. ROTH.

(The following Members (at the request of Mr. MONTGOMERY) and to include extraneous matter:)

Mr. KASTENMEIER.

Mr. VANIK.

Mr. RIVERS.

Mr. RESNICK.

Mr. HOWARD.

Mr. SCHEUER in two instances.

Mr. STEED in three instances.

Mr. FEIGHAN in six instances.

Mr. MOORHEAD.

Mr. HEBERT.

Mr. ST. ONGE in three instances.

Mr. GONZALEZ in three instances.

Mr. BOLAND in three instances.

Mr. WHITENER in two instances.

Mr. BROOKS.

Mr. RARIK in four instances.

Mr. MILLER of California in five instances.

Mr. RYAN in two instances.

Mr. LONG of Maryland.

Mr. PICKLE.

Mr. POAGE in two instances.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 14940. An act to amend the Arms Control and Disarmament Act, as amended, in order to extend the authorization for appropriations.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1119. An act to grant minerals, including oil and gas, on certain lands in the Crow Indian Reservation, Montana, to certain Indians, and for other purposes.

ADJOURNMENT

Mr. MONTGOMERY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 45 minutes p.m.), the House adjourned until tomorrow, Tuesday, May 14, 1968, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1832. A letter from the Chief Justice of the United States, transmitting a copy of the report of the proceedings of the Judicial Conference of the United States, February 27-28, 1968, pursuant to the provisions of title 28, United States Code, section 331 (H. Doc. No. 309); to the Committee on the Judiciary and ordered to be printed.

1833. A communication from the President of the United States, transmitting a determination that it is in the national interest for the Export-Import Bank to extend guarantees, insurance, credits, and to participate in the extension of credits in connection with any transaction involving the exportation of U.S. products and services to Yugoslavia, pursuant to the provisions of section 2(b)(2) of the Export-Import Bank Act of 1945, as amended; to the Committee on Banking and Currency.

1834. A letter from the Assistant to the Commissioner, District of Columbia, transmitting a draft of proposed legislation to authorize the reduction of the salaries of teachers and school officers in the public schools of the District of Columbia for the purpose of purchasing annuities pursuant to the provisions of section 403(b) of the Internal Revenue Code, and for other purposes; to the Committee on the District of Columbia.

1835. A letter from the Chairman of the National Labor Relations Board, transmitting lists containing (1) the names, salaries, and duties of all employees and officers in the employ or under the supervision of the National Labor Relations Board, (2) cases heard and/or decided by the Board, and (3) the fiscal statement showing total obligations and expenditures for the fiscal year ended June 30, 1967, pursuant to section 3(c) of the Labor Management Relations Act of 1947; to the Committee on Education and Labor.

1836. A letter from the Director, U.S. Information Agency, transmitting a report on activities under section 401, Federal Property and Administrative Services Act of 1949, for fiscal year 1967, pursuant to the provisions of section 404(d) of the act

(Public Law 81-152); to the Committee on Government Operations.

1837. A letter from the Comptroller General of the United States, transmitting a report on the opportunity to reduce costs by accelerating the disposal of unneeded storage structures of the Commodity Credit Corporation, Department of Agriculture; to the Committee on Government Operations.

1838. A letter from the Archivist of the United States, transmitting a report on records proposed for disposal, pursuant to the provisions of section 4 of the act approved July 7, 1943 (57 Stat. 380), as amended by 59 Stat. 434 and 63 Stat. 377; to the Committee on House Administration.

1839. A letter from the Attorney General, transmitting his annual report of the activities of the Department of Justice for the fiscal year ending June 30, 1967, pursuant to law; to the Committee on the Judiciary.

1840. A letter from the Chairman, U.S. Commission on Civil Rights, transmitting a report relating to political participation by Negroes since the passage of the Voting Rights Act of 1965, pursuant to the provisions of Public Law 85-315, as amended; to the Committee on the Judiciary.

1841. A letter from the Assistant Secretary of the Interior, transmitting a resolution of the legislature of the territory of American Samoa expressing opposition to H.R. 13311, relating to foreign-flag fishing vessels; to the Committee on Merchant Marine and Fisheries.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. TENZER: Committee on the Judiciary. S. 2409. An act for the relief of the estate of Josiah K. Lilly (Rept. No. 1375). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADAMS:

H.R. 17232. A bill to authorize the Secretary of Defense to convey certain lands known as Fort Lawton situated in the State of Washington to the city of Seattle and King County, Wash.; to the Committee on Armed Services.

By Mr. BOLAND:

H.R. 17233. A bill to amend the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. BROWN of Ohio:

H.R. 17234. A bill to amend the act of April 11, 1968, with respect to the sale or rental of single family houses without the use of real estate brokers; to the Committee on the Judiciary.

By Mr. DAVIS of Georgia:

H.R. 17235. A bill to amend section 9 of an act approved August 4, 1950, entitled "An act relating to the policing of the buildings and grounds of the Library of Congress"; to the Committee on House Administration.

By Mr. DINGELL:

H.R. 17236. A bill to amend section 231 of title 18, United States Code, to remove certain elements with respect to certain offenses; to the Committee on the Judiciary.

By Mr. HANLEY:

H.R. 17237. A bill to define the term "child" for the purpose of certain payments under the Federal employees' group life insurance and the civil service retirement laws; to the Committee on Post Office and Civil Service.

H.R. 17238. A bill to repeal section 14(c) of title 6 of the United States Code requiring an annual report by the Secretary of the

Treasury with respect to the bonding of officers and employees of the Federal Government; to the Committee on Post Office and Civil Service.

By Mr. LANGEN:

H.R. 17239. A bill to encourage the growth of international trade on a fair and equitable basis; to the Committee on Ways and Means.

By Mr. MORRIS:

H.R. 17240. A bill to amend the Communications Act of 1934 to abolish the renewal requirements for licenses in the safety and special radio services, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. PATMAN:

H.R. 17241. A bill to amend title II of the Social Security Act to increase from 22 to 24 the age at which an individual otherwise qualified for child's insurance benefits on the basis of school attendance can no longer be entitled to such benefits; to the Committee on Ways and Means.

By Mr. PELLY:

H.R. 17242. A bill to encourage the growth of international trade on a fair and equitable basis; to the Committee on Ways and Means.

By Mr. SAYLOR:

H.R. 17243. A bill to encourage the growth of international trade on a fair and equitable basis; to the Committee on Ways and Means.

By Mr. THOMPSON of New Jersey:

H.R. 17244. A bill to set forth a congressional statement on a national educational policy and to direct the Secretary of Health, Education, and Welfare to initiate a comprehensive study on the formulation of a plan to implement such policy; to the Committee on Education and Labor.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANNUNZIO:

H.R. 17245. A bill for the relief of George Elamanamadathil; to the Committee on the Judiciary.

By Mrs. BOLTON:

H.R. 17246. A bill for the relief of Victoria Wong; to the Committee on the Judiciary.

By Mr. HANLEY:

H.R. 17247. A bill for the relief of Alice Pua; to the Committee on the Judiciary.

H.R. 17248. A bill for the relief of Violetta Stylianou; to the Committee on the Judiciary.

By Mr. WATTS:

H.R. 17249. A bill for the relief of Raymond J. Grachek; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

309. By the SPEAKER: Petition of Alfred M. Kunze, Hicksville, N.Y., relative to legislation for poor people; to the Committee on Education and Labor.

310. Also, petition of the Daughters of the American Revolution, Washington, D.C., relative to resolutions of the 77th Continental Congress, National Society Daughters of the American Revolution; to the Committee on the Judiciary.

311. Also, petition of Mrs. John S. Orpilla, Columbia, S.C., for redress of grievances; to the Committee on the Judiciary.

312. Also, petition of the Municipal Council of the City of Bayonne, N.J., opposing pending legislation relative to liberalizing truck size and weight limits on interstate highways; to the Committee on Public Works.

313. Also, petition of Mrs. Mabel Sue Traugott, Weslaco, Tex., for redress of grievances; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

A TRIBUTE TO SENATOR LAUSCHE

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Monday, May 13, 1968

Mr. BYRD of Virginia. Mr. President, through the years, FRANK LAUSCHE, the senior Senator from Ohio, has demonstrated a toughness of spirit and mind which has won the respect even of those who oppose the positions he has taken. It can surely be said there have never been any strings on FRANK J. LAUSCHE. He is his own man, and in being that, he is a man of the people in the best sense of the word.

Mr. President, I ask unanimous consent to have printed in the Extensions of Remarks a tribute to Senator LAUSCHE which was written by the noted columnist, James J. Kilpatrick, and published in the Richmond News-Leader of Saturday, May 11, 1968.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TRIBUTE TO LAUSCHE: OHIO'S BARE-KNUCKLED
LITTLE GIANT

(By James J. Kilpatrick)

WASHINGTON.—Back in mid-April, when the newspaper editors were having their annual consistory out at the Shoreham, I ran into Ohio's Senator Frank Lausche and asked him how he was doing. He rolled those expressive eyes to heaven and crossed his fingers for luck. I promised myself to write a piece about the old maverick, but other things got in the way. Now, dammit, it's too late. He went down to defeat in Tuesday's senatorial primary. His departure from the Washington scene will be a real loss to the Senate, and to the country, too.

Lausche was in a class by himself. Over the years, you came to expect most of the Southern Democrats to rack up a stoutly Republican record, but the old warhorses from Dixie were secure in their saddles; no one paid much attention. By the same token, you knew about where Wayne Morse, the Oregon cactus, would sink his barbs. Lausche was different. He voted his convictions with reckless disdain for party labels. He was a conservative, but a restless conservative; he would not stand and be hitched.

Great day, we will miss him next year! He came to the Senate in 1957, after serving five terms as Governor of Ohio. He had done a brilliant job in the statehouse. My own recollection of Lausche goes back to the fall of 1951, when the National Conference of Editorial Writers met in Cleveland. He held his tough audience spellbound for an hour, with a virtuoso performance on the problems and prospects of State government.

Come to think of it, he always had the air of a virtuoso. He looked like a solo pianist or a visiting guest conductor—swarthy, his hands always in motion, his mobile face urging a faster tempo. Over the years, his great shock of dark hair turned grey; the lines deepened around his eyes and mouth, but he never lost the vitality of 1951. In a chamber of lusty debaters, he held his own with the best.

A good deal was made in the press of the Senator's age—he is 72—but it wasn't his age that beat him on Tuesday. It was a combination of Lausche's own stubbornness and organized labor's strength. The last time the Senator ran, in 1962, he won re-election by

nearly 700,000 votes. He spent next to nothing in that campaign, and he adamantly refused to spend much of anything this spring. The people knew where he stood—or they ought to know. He had voted for the open housing bill, but he also had sponsored (with Strom Thurmond) a tough amendment to punish rioters. He was hard on Vietnam. He was hard, in truth, on just about everything. There was mighty little softness in him.

It is especially ironic that Lausche should have been toppled by former Representative John J. Gilligan, for Gilligan was defeated two years ago by young Robert Taft. In the zoology of politics, Taft is a kitten and Lausche a catamount.

This time, Gilligan benefited from one of those great efforts that labor can mount in Ohio. During his single term in the House (1965-66), Gilligan rated a neat 100 per cent in the scorecards of the AFL-CIO. By contrast, his rating from the conservative Americans for Constitutional Action was a feeble 7. Gilligan also benefited in Cleveland from the help of Negro leaders identified with Mayor Carl Stokes.

In November, Gilligan will be pitted against the Republican Senatorial nominee, Ohio's Attorney General William B. Saxbe. Conservatives who are dismayed by the loss of Lausche may be consoled, to some extent, by the lively hope of seeing Saxbe elected. Saxbe is known as a pragmatist, a savvy campaigner, a competent middle-of-the-roader with broad appeal across the Republican spectrum. The House elections of 1966 demonstrated a Republican trend in Ohio; if the momentum can be sustained in November, Saxbe should win.

But with deference to the gentleman, he won't bring to the Senate the color, the verve, and the bare knuckled spirit of Ohio's little giant. In the lovely hurly-burly of the Hill, Lausche has fought the good fight. It's a pity to see him knocked out.

GEN. HAROLD K. JOHNSON ADDRESSES AMERICAN ORDNANCE ASSOCIATION ON 50TH ANNIVERSARY

HON. ALEXANDER PIRNIE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1968

Mr. PIRNIE. Mr. Speaker, our distinguished Chief of Staff, U.S. Army, Gen. Harold K. Johnson, will soon retire. During his long and proud military career his words and deeds have marked him as a great leader. Those privileged to know him have admired his clear thinking, quiet courage and professional competence. Those qualities have served our country well. Even beyond all this, we appreciate his sterling character and devotion to high ideals.

General Johnson commands the Army of the greatest military power in the world, but his reliance is not solely on the weapons or troops at his disposal but upon the moral force our Nation embodies. This was reflected in his memorable talk at the Presidential prayer breakfast in February and again May 9 at the 50th anniversary dinner of the American Ordnance Association. On this latter occasion, General Johnson received the coveted award of the Crozier

Medal and responded with an address which outlines brilliantly the hopes and fears of America. It is sober but inspiring reading, designed to make us think and act promptly and effectively to protect our Nation. I share this message with my colleagues confident that it will be found a compelling call to arms.

The address follows:

ADDRESS BY GEN. HAROLD K. JOHNSON, CHIEF OF STAFF, U.S. ARMY, 50TH ANNIVERSARY MEETING, AMERICAN ORDNANCE ASSOCIATION, WASHINGTON, D.C., MAY 9, 1968

I am doubly honored tonight—first by the privilege of addressing the American Ordnance Association on the occasion of its fiftieth anniversary and second by your generous award of the Crozier Medal. The Association has served the armed forces of the United States for half a century and has always been held in high esteem by the Army.

General Crozier, a former Chief of Ordnance, devoted his life to moving the Army ahead on the swelling wave of technology. I challenge the Association to strive for the same order of achievement in the next fifty years. The technological wave has not yet reached its crest. Proper harnessing of its surging power will take all your skill, courage and devotion.

I pondered a long time before I decided what to talk about tonight. Since technology and its management are your major concern, I thought perhaps I might discuss the application of management in the Army. However, in my opinion, we're on the watershed now in a great management revolution in the Army. We've identified our goals clearly and we've recently taken some giant steps toward mastering our resources. As a result, we're acquiring real confidence in our ability to improve their employment. It was just a matter of finding the handle, really. Now our task is one of continued improvements and for this reason I've decided against talking to you further about automatic data processing and the budget cycle. While they are at the core of our day-to-day operations, I believe an occasion such as this warrants a greater stimulation than a mundane description of how computers help the Army.

Rather, tonight I want to get very quickly to what I believe to be a much larger subject—one that is of the greatest importance to our Nation today. And, I say at the outset, the way we choose to deal with it will determine the future path of the America we know now—the America we remember—and the America we would like to have.

What I refer to is what I call the American vision. My definition of the American vision is not a complex abstract philosophy for intellectuals to debate. It is simple. It is something every man can understand. It is essentially those things we stand for. It is what motivated our ancestors to come to a wild and unknown land and gamble everything, including their lives, to make it go. It is what we read, without innuendoes, in the documents that a few visionary patriots wrote—our Declaration of Independence and our Constitution. The Bill of Rights. It is what we read in the court decisions, treaties, laws and ordinances placed on the books ever since. We have seen parts of them again and again in the Emancipation Proclamation, and the Charter of the United Nations.

The American vision is nothing more than our fundamental, ethical and moral belief in the dignity of the individual and his society—belief that the individual counts for a great deal. It is our embrace of freedom, all kinds of freedom, righteousness and justice. They count for more than wealth, in-

fluence, world power or other transitory values. We started with those principles, we have stayed with those principles, and they have achieved for us the affluence and the world eminence we enjoy today. That is the American vision in a nutshell.

Last month I returned from my tenth visit to South Vietnam. While there I encountered openly expressed concern on the part of our soldiers about what has been taking place back here. They understand why they are in Vietnam and what must be done over there. But they do not understand what is happening here at home. While doing my best to explain, I felt compelled to tell them honestly of what I considered to be two great tragedies that have befallen this Nation in recent months. The first of these was the unfortunate loss of confidence after North Vietnam's Tet offensive. The second tragedy, I told them, is domestic disturbance. I believe—and I have so stated on many occasions—that dissent, debate, public assembly and the privilege of seeking redress for grievances are rights that we train our young citizens to exercise. But the spectacles that we have witnessed in our city streets and on some of our college campuses lately simply indicate a growing disrespect for law and order.

And yet the foundation of our government—of any well-ordered society—is the rule of law. Without order, justice and freedom disappear. In the final analysis, our national security, along with that of other nations, rests upon a rule of law and order, both domestic and international.

It is against this backdrop that I speak tonight, and I raise the question: What has happened to the American vision? Is it as distinct to Americans today as it was when I was a boy? Certainly, the level of criticism both at home and abroad is much higher now than it used to be. But in view of the magnitude and complexities of our worldwide responsibilities, is that really so surprising?

In Boston last week, in a speech to the Adjutants General Association, I dealt with a number of allegations often leveled at our society. Tonight, at the risk of repetition, I would like to refer to those allegations and deal with certain additional ones. Let me first answer some of our foreign critics:

Some say that economic gain motivates our every foreign policy decision—that the State Department puts a dollar sign on every treaty and agreement.

I say that history proves otherwise—that our relations with other countries have been based on our ethical heritage and not on sterile economic determinism. Some people in other countries say that there is a dollar invasion, that U.S. capital is attempting to control foreign industry. I ask them to look back to the bleak years of 1945 to 1950 when virtually the entire Free World was prostrate. American capital left these shores by the billions—but why? To create or revive political and economic systems for people who had their versions of our vision; to permit them to resist an encroaching system in which the individual is nothing and the state is all. We were not vindictive. We helped to reconstruct the societies of our erstwhile enemies as well as those of our allies—but in a form that accorded with the vision of a community of peaceful nations.

Yes, there was a dollar invasion, but it created jobs, opened schools, trained doctors, and gave millions the chance to achieve their vision. It lifted nations to their knees from the depths of despair and ruin.

Our enemies and antagonists say we are colonialists and neoimperialists. This hardly merits dignifying with a response. Whom have we colonized? U.S. policy in post-World War II years had the central theme of resisting the re-imposition of colonial regimes. We adhered to this policy despite strong wartime ties to former colonial powers. We

insisted on a United Nations that opposed this odious practice. We moved with dispatch to grant full independence to the Philippines, the closest activity we had to a colony then. Yes, we do grant and lend dollars to help countries less well endowed than we to open hospitals and build dams and roads. If this is imperialism, then I will live with the stigma. I believe the American ethic of humanitarianism and faith in the progress of the individual underlies our assistance policies—not sheer political gain.

Some say we meddle overmuch in the internal affairs of other nations—in things which are none of our business. I answer that we do not seek to impose our system on others. We try to demonstrate, by example, that our values and principles have application in other cultures; that by local adaptation of what we know as justice, personal liberty, opportunity based on merit instead of birthright, and respect for the individual, any nation can achieve cohesion and national purpose—take its prideful place in the international system. Japan, West Germany, and South Korea are not carbon copies of our peculiar system. I do not believe that those nations have suffered from adoption of a piece of our system, either.

So much for our detractors abroad. But let me say that there are other foreign voices, perhaps less articulate, but no less authoritative—a very large body of opinion which often escapes our notice—many voices that say "Yes, Americans, your system, your values are better than ours. Let us share your vision." Of whom do I speak? I speak of the Hungarians who fled Budapest in 1956 when an authoritarian regime reimposed itself with tanks and machine guns. Those people had gotten a brief scent of freedom. Many found their way to our shores and a new opportunity. Ask them why they came. Go to the docks in Miami and ask the Cuban refugee in the open boat why he left Havana. Ask our immigration officials how many are on the waiting list to come in from every continent.

No, I do not worry about our critics across the oceans. There are too many non-Americans who validate the American vision. But I am very troubled about our attitudes at home. If our principles are so attractive to those who cannot enjoy them, why are they in disfavor with Americans who can? Listen to the statements we hear about ourselves: We Americans no longer have a great national purpose or sense of mission.

Since we have no national purpose, we cannot have a sensible international purpose. We have become too well off; too contented; too fat; too soft.

We are politically, socially, and economically divided, and our various factions can no longer communicate among themselves.

Our bedrock of religious faith has crumbled. God is dead; Christ was just an itinerant moralist; The Bible is great literature, but not much else.

Public and official morality have become a big joke.

We have allowed "too much government" to devour our individualism. We have become wards of the state—and we like it that way.

There is more:

Our patriotic fervor—the Spirit of '76—has burned itself out.

The question, "Is it good for the country?" has been replaced by, "What's in it for me?"

We have no great leaders anymore, and the debunkers have killed off the last of our national heroes.

We have become a nation of cowards, who place security above all else. Public Enemy No. 1 today is the man who rocks the boat.

We believe in freedom, justice, equality—as long as it is stamped "Made in America" or "Reserved for Americans."

Our young people have become a bunch of spoiled, over-fed, under-principled punks.

That is a shocking list. Every allegation can be supported to at least some degree. Together they comprise a severe indictment. In my opinion, however, none of the allegations can be applied specifically to all of America or to all Americans. Only to the degree that each allegation is true are we in trouble. But we must recognize that as long as any single part of one allegation is true, even to a small degree, we have a festering sore that must be treated and cured. I will not answer each of these charges tonight, but I will give you an insight into causes and cures.

I have been very closely involved in the events of the unfortunate days of 1967 and 1968. In a span of twelve months, Federal forces were twice called upon by civil authority to clear the streets and restore order. Murder, arson, and looting broke out even here in the Nation's seat of government. It cannot happen in America, we said. But it did. We have a problem of very serious proportions. When civil authority orders the Army into the streets to assist in upholding the law, we have taken the ultimate step for enforcement of the law. The Army is then joining in the final defense of order and the prevention of out-and-out anarchy. Whom do you call upon next? How many more times must the forces be ordered out?

What has led to this very obvious decline in respect for law, for the rights of people to pursue their goals, for justice? Why have these ideals become a mockery and a target for cynics?

Some say it is because we no longer have a frontier—a place where a man can match wits and strength with the elements. Others say there is too much affluence or there are no challenges left. They are wrong. There is a frontier, but not in a geographical sense. There are plenty of challenges left. Just read the front page of your newspaper any morning, if you are skeptical.

I offer that the problem lies with the individual—many individuals, a whole aggregation of them who make up the population of America. The individual is central to the theme of things, not ambiguous bodies like "the government" or "the party" or "the establishment." The key is the individual and his involvement in the American scheme. If our vision is fading, it is because individuals are not involved in pursuing it. I hear with distressing regularity when tragedy strikes the excuse "I didn't want to get involved" or "How terrible. I wonder what they are going to do about it?" Let me leave no doubt in your minds here—"They" are "we"—you and I. If we do not get involved, who will? I'll tell you who. It will be the individuals who seek to get involved, who have a purpose—a purpose that does not match the American vision as you and I know it.

This stark truth lies at the heart of campus dissent and violence in the streets. It reflects a deep dissatisfaction and sense of frustration on the parts of many. It grows out of no longer knowing what is constructive or cannot identify the road to HOPE. The American vision does not equate with reality as those people perceive it. The vision says that individual dignity and rights are paramount in the United States; that every American can go as far as his capabilities will take him. The frustrated among us protest that this is not so. Avenues are closed. Opportunity is not there. Justice is the exclusive property of a few. So being human beings, they seek other channels for this frustration—street violence and takeover of universities, draft card burning, and flight abroad to avoid military service. These people get involved. They are building the new American vision, the one represented by the list I read.

What we need now is the re-creation of constructive goals, the application of brainpower, energy and resourcefulness to reopen the channels in our social order. We must

apply massive efforts to restore the real vision for everyone. We must insure that the ring of truth is in freedom, justice, dignity, and righteousness until mockery and cynicism have no soil in which to grow.

Now I am back to involvement again. Who is going to do it? It is easy to say "Fine. It must be done. But I am just one person. I cannot do much." That is always the easy way. Just a little too much complacency. It is easy to say "Let George do it," or "That is why I elect Congressmen—to look out for the nation's problems." But these are not the nation's problems. They are our problems. If we, as individuals in the aggregate fail in our individual responsibilities, I see a dismal future for all of us. The others of whom I spoke are going to get more involved and I do not like the consequences for our American vision.

So, you must get involved if you share my interpretation of the vision. You have no choice. I cannot tell you how to do it—the particular form of involvement that best suits each one of you. Each of you has his life, goals, pursuits, strengths, and problems apart from anyone else. That is why you are individuals. But I do know that there are tasks enough for everyone—that each of you can leave this room tonight and be involved constructively before another day passes. You must match your personal obligations and capacities to the task at hand. Maybe you are already involved but not enough. Perhaps you are already involved—and too much—to the extent that you skip over some of the responsibilities for which you are charged and which you have agreed to assume. It is going to take total involvement by individuals—all individuals. Time is passing and so may our vision be passing.

I am calling you back to arms tonight—I am throwing down the gauntlet. Recall that your heritage and your affluence are nothing more than the story of men who became involved. The colonists of 1776 were involved. The soldiers of the Union became involved in 1860 and aren't we glad they did. Millions of 19th century immigrants from Europe and elsewhere became involved. They sought the vision and built on foundations that others had started. In two World Wars the entire citizenry became involved in one fashion or another. Those before built it for us. Have we not the same obligation to preserve it not only for those who follow but for those who share America with us right now? That is the challenge and it translates into involvement—as individuals.

If I did not think that we could measure up, I would not issue the challenge. I think we are as capable—as individuals—as those who have been involved before us.

I become emotional when I speak of our country and its vision, but that is because it has real personal meaning for me. I believe in it. I have tried to be involved ever since I first put on my country's uniform and pledged to protect its flag from all its enemies. I take comfort in the view that our soldiers share it. They are involved.

But not every American is involved. As a nation, we have sometimes sought and sometimes dodged involvement. Now, however, we can no longer avoid the responsibility of involvement if we intend to influence the course of events that are consistent with the visions we hold as a people.

President Wilson, who certainly became involved, spoke of this vision in these words which I would like to leave with you: "This country, above every country in the world, gentlemen, is meant to lift; it is meant to add to the forces that improve. It is meant to add to everything that betters the world, that gives it better thinking, more honest endeavor, a closer grapple of man with man, so that we will all be pulling together like one irresistible team in a single harness."

The questions that each of us must answer for himself are: Am I in harness? Am I involved? Do I really care?

CAN WE COMMUNICATE IN THE 21ST CENTURY?—ADDRESS BY LEONARD H. MARKS, DIRECTOR, U.S. INFORMATION AGENCY

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Monday, May 13, 1968

Mr. SCOTT. Mr. President, Leonard Marks, the able Director of the U.S. Information Agency, spoke before the American Women in Radio and Television, in Los Angeles, Calif., on May 2.

In order that Senators and others may have the opportunity to read his perceptive remarks on the challenges of communicating with our foreign neighbors, I ask unanimous consent that the text of his speech be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

CAN WE COMMUNICATE IN THE 21ST CENTURY?

(Address by Leonard H. Marks, Director, U.S. Information Agency, to American Women in Radio and Television, Los Angeles, Calif., May 2, 1968)

This evening I want to talk with you about a challenge that faces us as Americans—the challenge of communicating with our foreign neighbors.

I start from the premise that other nations around the globe, while separated from us by vast distances, are our neighbors in a world grown small. And if my premise is correct today—as I am confident this audience will agree—how much closer neighbors they will be in the 21st century.

I also start from the premise that as neighbors we must communicate on matters of common concern. There are few parts of the globe whose peoples' hopes and fears, triumphs and setbacks, do not in some way affect the United States. And the same may be said about the effect of events here upon other peoples. The issue of war or peace, economic stability, threat of over-population, famine or disease—these are questions of very immediate and tangible concern to all inhabitants of the globe.

When I speak of our neighbors, I see them as divided into three groups:

First, there are our friends with whom we share common goals and ideals. These are nations which cherish freedom, which believe that the individual has the right to determine his way of life, to do as he wishes in expressing his views, in choosing his leaders by free election. The fact that our friendship rests upon this common outlook cannot be taken for granted; rather we must strengthen the bonds of solidarity through free and frequent communication.

Second, there are other nations whose ideology and outlook are diametrically opposed to these concepts, who regard the state as all powerful, with the right to determine the destiny of each of its citizens. This viewpoint is alien to us. But simply because we disagree with these nations does not mean that we can ignore their existence. On the contrary, we must seek to build bridges to them, and to strengthen the bases for co-existence on the planet that we must share.

Third, there are nations which have not yet decided the pattern that they wish to follow. Most of these are nations in the "developing" world, seeking an answer to their serious economic, social and political problems. They look to the one side, they look to the other and they must make decisions as to where they will go. Many of them have learned that independence is not the resolution of all their problems, but the beginning

of new ones. To them, also, we have much to say.

With each of these three groups of nations, then, we must communicate. And we must do so in their languages, in terms meaningful to them, taking into account their differences in background and experience.

Can we do this? Can we meet this challenge?

Let us look first at the means we shall have to communicate with our foreign neighbors in the 21st century. Techniques that will then be commonplace will realize the wildest dreams of inventors and scientists. And this transformation becomes all the more dramatic since the revolution in communications is a comparatively recent development in human history.

Prior to the advent of printing in the fifteenth century, knowledge was handed down by a few wise men who, by word of mouth and through treasured, hand-copied manuscript, would tell their disciples about the mysteries of life and the answers they had accumulated from their experience. Traveling troubadours or messengers played a part, but essentially, people lived in small villages and knew only what their elders in that society told them.

Even today there are places where people are born and die and never meet neighbors who live in the next village more than twenty miles away.

With the advent of printing, it became easier to record one's thoughts and distribute them to adjacent and remote areas—and learning flourished as the printing press made the wisdom of elders available to distant lands.

Then, in the 20th century, we received an accumulation of riches: the telegraph, the telephone, radio and that most miraculous of all media, television. Not only could we use these techniques within national boundaries—telephone and telegraph lines crossing from one ocean to the other, radio crossing mountainous areas that were otherwise impassable. Even continents could now be linked with high-powered transmitters and receivers.

Then, suddenly, the orbiting satellite evolved.

22,300 miles above the earth, a little hat-box containing electronic equipment could pick up a faint voice, amplify it and transmit it to another distant point. Suddenly areas that were heretofore inaccessible because of jungles or oceans or vast distance could exchange live television pictures or any spoken message with any other area in the world. All who owned radio and television sets had a front row seat in their living rooms for world events in far away locations.

The launching of Telstar, the first communication satellite, was banner headline news. Front pages around the world were filled with the new miracle of communication. Telstar was followed by other satellites, each more sophisticated than its predecessor.

Today the launching of a satellite doesn't even get a one-inch story in the papers or a 30-second spot in the TV newscasts. We no longer consider it novel to have a Walter Cronkite or Chet Huntley on our TV screens reporting from Europe or Asia or some other remote point at the exact moment and place where the news is breaking.

Shortly there will be earth stations in Africa, Asia and Latin America. The world will be tied together into a vast network where at any time a person can pick up the telephone, make a phone call to anyone else in the world, send a telegraphic message, communicate by radio or send an image by television.

Or take the field of printing. For the past hundred years, there was no substantial improvement: a book was a book. Now suddenly that medium is being revolutionized.

I carry something with me for people to

see, very dramatically, what is happening. This is the Bible. On this two-by-two microform card the entire Bible has been recorded. In order to read it, you insert the card in a machine reader about the size of a small television screen. You flick a switch—and the Bible is reproduced with the same type as the original volume. If you want to turn a page, you turn a knob. There is an index, and the same facility for finding material in this volume as you have with the printed page.

Just think what this is going to do for the communication of knowledge around the world!

With this microform card, we could contain a typical library of the U.S. Information Agency overseas—about 9,000 volumes—in a shoebox. The entire Library of Congress would fit into a filing cabinet! Think what this could mean to foreign scholars, who could have readily at hand in Asia, Latin America, Europe or Africa the extensive materials that their research requires.

Audio-visual techniques have advanced to the point where a simple cylinder, like a 45 rpm record, can now be reproduced for less than fifty cents, with images, slides, around the periphery and a tape in the center.

Here we have a sight-and-sound lesson that can be used in any home, in any remote village school house, explaining hygiene, science, government. You name the subject and someone will record it.

You may have heard the expression, "electronic video recording." Before the end of this year, it will be available in the United States. In simple terms, EVR is the equivalent of a record player on top of a television set, integrated into the set. It employs a cartridge of film, one inch thick, which will play in black and white for 60 minutes. That cartridge will be available for sale by the end of the year for \$7.00. You take the cartridge home, you put it on your record player attachment, you turn a switch, and there on your television set is that film. So we have home movies available to anybody at any time on any subject. And I am quite confident that the price of \$7.00 will be drastically slashed within a short time.

So we have the riches of audio and visual media available for the schoolroom, for the home, on any topic, at any time.

These are some of the new technical facilities which we have at our disposal today or will have in the very near future. Yet I have no doubt that by the year 2,000, the devices that I have described to you will be regarded with amusement as primitive.

With this wealth of technical capacity, the question that I ask is: Can we use it wisely? What are we going to communicate? How?

When the first transatlantic cable was laid between the United States and Europe, Henry Thoreau, with his sardonic humor, said, "What are we going to talk to the people of Europe about? In all probability the first conversation will be that Princess Adelaide has the whooping cough."

Well, I'm not that pessimistic. I think there are many things we have to talk about. Particularly in a world that's torn by difference in ideology, by differences in economic conditions, by concepts of what is right and what is wrong. In a world where distances are no longer measured by land miles but by the speed of electronic communication. Where all peoples are neighbors.

In the process of communication, many obstacles have to be overcome beyond the technical ones. We speak in different languages, and although you can learn your neighbor's language, you have to know more than the words. You have to know the context within which the words are used.

Let me illustrate. I was impressed by a survey made among African university students. In many countries of Africa you have a literacy rate of about 20 percent, so that the university students are truly an elite. These students were asked about certain

concepts. One question was: Do you prefer capitalism or a regulated economy for your country?

The highest proportion of any group that said it preferred capitalism was 50 percent. In most countries in that area, 80 to 90 percent said that they did not prefer capitalism.

You might immediately come to the conclusion that the students polled disapprove of the American economy, that they disapprove of free enterprise. But when you study subsequent questions, your conclusion is different.

The survey went on to describe essentially a political-economic system such as we have in the United States or in many countries of Western Europe, and asked for views on such compared to the government-directed economy in Communist countries.

When the survey asked these questions without labels, a large proportion of students said that it was our system that they preferred. The word "capitalism" initially raised images—of the boss living in the big house on the top of a hill, employing thousands of bedraggled serfs—of the poor who have no chance against a heartless system of privilege—of government that shows no concern for fundamental liberties or for the protection of those who are weak, ill or poorly educated.

But that is not the United States—nor is it an accurate description of the free world.

So we know that in communicating with other people, we must choose our words with care. We must understand the psychology and outlook of our audience, and be able to gauge the impression that a given concept or label will make upon them. These are the complexities of international communication that remain after the technical problems of transmitting messages have been resolved.

Another challenge that the United States faces in international communication is contact with closed societies. Let me illustrate in terms of the programs of the U.S. Information Agency.

For those of you who aren't familiar with USIA's world-wide operations, I'd merely like to say that we publish magazines, that we broadcast in 36 languages over the Voice of America, that we produce films for theaters and for television. We exhibit at world fairs and trade fairs. We operate libraries. We publish books. We communicate by any means necessary to explain to foreign audiences what the American people think and how they act, and what our government has to say on issues of importance to the rest of the world.

In most countries, USIA uses the whole gamut of information media, emphasizing those that are most suited to the local circumstances. In closed societies, however, we are severely limited. Here governments attempt to isolate their peoples from contact with the rest of the world. In these circumstances, the Voice of America is our chief—and sometimes our only—means of communication.

For example, Communist China. No nation in modern history is more isolated from the mainstream of civilization. Here is a land mass larger than the United States, with a population of 800 million people, completely isolated from its neighbors. We can't communicate with them in person since they won't permit our visitors to enter the country. We can't make our books available because they won't allow the importation. We can't show them films even in their own language because they won't permit their people to be subjected to outside influences. The miracle of the satellite may be known to the Chinese but is of no value since Communist China refuses to be linked up to the rest of the world. Accordingly, we can only talk to the Chinese people by shortwave radio.

What do they do with our radio signal? They jam it to prevent their people from

hearing word of what is going on outside. However, no jamming has ever been 100 percent successful. There are people in China today who listen to our programs; we know this. We know that the Foreign Minister Chen Yi, is one of our best listeners. He was interviewed by some Japanese newsmen who asked him, "How do you know what is going on outside of China?" He said, "Well, I listen to the BBC and the Voice of America."

In Russia and Eastern Europe there is a hunger for information. You cannot suppress the fundamental desire of people to know. When you prohibit the free flow of information, you raise the curiosity level to the point where the public is going to do whatever is necessary to outwit the censors.

In Russia today there is no jamming. Nor is there jamming in any part of Eastern Europe with the exception of Bulgaria.

By agreement with the Soviet Union, we are permitted to distribute in Russia a magazine called *America*. This agreement permits us to sell 62,000 copies every month, and in return, the Russians have the same right to distribute in the United States 62,000 copies of a magazine called *Soviet Life*. We place no restriction on them. They can put their magazines on any newsstand, in any city, at any time, at any price.

To get our magazine to the Russian people, however, we must go to the Soviet Government and we say, "Here are 62,000 copies of *America*. Please distribute them." The Soviet Government then decides how many will go on which newsstand in which city and at what time.

The Moscow correspondent of a Swedish newspaper, *Svenska Dagbladet*, reported recently that he was walking along Gorky Street, which is the equivalent of Fifth Avenue. He said he saw a long line and he joined it because he thought maybe they had nylon stockings or pickled cucumbers, which is apparently a great delicacy, or some importation from one of the Eastern European countries. When he got to the end of the line he found himself at a newsstand. They were selling copies of *America* magazine. He described the scene: people snatched copies from the clerk, eagerly opened and read them, and before long the issue was sold out.

We know that every copy is read by at least ten people. There is a black market. We have also discovered that some of the vendors at the newsstands know a little bit about capitalism or the free enterprise society, because they refuse to sell the magazine. They rent it. If a customer returns the magazine dog-eared or dirty, he's off the list.

Now, despite—or perhaps because of—the public eagerness for *America* magazine, at the end of 60 days the Russian authorities return to us in unopened bundles from 10 to 15 thousand copies of each issue. They say that they cannot sell them—but it is strange that the sales of *Soviet Life* in the United States seem to determine how many copies we get back.

Some weeks ago you may have seen the issue of *Life* magazine which featured an interview with Soviet Premier Kosygin. It was a lavishly illustrated issue given over to a full and fair exposition of the Soviet Russian viewpoint on all principal issues of concern in the world today. It was headline Communist policy, printed by *Life* exactly as Premier Kosygin voiced it.

This can and does happen in America, and we are not surprised. Freedom of the press is taken for granted. But would the Soviet authorities permit such an exposure of our President's views in their country? My offer to arrange just such an interview fell on deaf ears.

Can we communicate adequately if restrictions of this nature are placed upon the simple exchange of ideas in the historical medium of print? Can we communicate if there is going to be jamming of radio sig-

nals? Can we communicate if our films cannot be viewed in theaters, in private groups? Can we communicate if our lecturers cannot attend seminars and express their views? The answer is, we can't.

Tonight let me make another offer to open, just a bit further, the vital channels of communication.

This time I address myself to mainland China.

For several years, the United States Government has expressed a willingness to admit Chinese Communist journalists to this country. We have our 1968 presidential election campaign ahead of us, a time of absorbing interest to this nation and to much of the watching world. Information media in Communist China will report some aspects of this campaign, but from a distance of 9,000 miles.

I say to the leaders in Peking: let your journalists come to this country to see how Americans choose their President. We guarantee them full freedom to observe and report the campaign.

I would like to make the following specific proposal:

1. Let Communist China designate its leading journalists to visit the United States during the coming election campaign.

2. The Voice of America will make prime listening time available daily to these Chinese journalists for broadcasts to their homeland.

3. In our tradition of free speech, we in the United States will not attempt in any manner to censor these broadcasts. The Chinese can express themselves as they wish in any language.

4. Hopefully this initial effort will lead to further exchanges between our respective countries. We stand ready to discuss such exchanges on a broad general basis or on specific points.

I do hope that this offer will be seriously considered by Peking and that it will be accepted. We would expect Chinese observers to be critical and to look for the worst; but I am confident that any observer will find in our election processes the true flavor of a free society.

We would hope that at least for the period of the reports by their own correspondents, the rulers of mainland China would suspend jamming.

I have a further request to make of the American Women in Radio and Television. The Chinese journalists would need to turn to some group in the United States to arrange their trip. I think it preferable that this not be our government, but rather an organization of independent journalists. I know of no group more appropriate than this distinguished audience to offer the Chinese visitors generous American hospitality and professional assistance in covering the campaign.

If Peking accepts my offer, I hope I can count on your help.

This evening I have described briefly the programs of the U.S. Information Agency. I want to touch now on one additional aspect which people always ask about and which is central to our philosophy of operation.

What is the policy of your government in presenting its information programs to the rest of the world? Do we tell the truth?

I want to assure you that the answer is unequivocally yes.

The day that the Voice of America began its broadcasts in February 1942, the United States was at war with Germany. The very first words uttered on the Voice of America were, "Daily at this time we shall speak to you about America and the war. The news may be good or bad. We shall tell you the truth."

That has been the touchstone ever since.

Not only is this necessary in order to preserve our moral position but it's very practical. People say to me, "Did you broadcast the story of riots in American cities follow-

ing the death of Martin Luther King? Why would you do it? Why would you want to tell the world this tragic story?"

The answer is, certainly we broadcast the story of the riots. We didn't enjoy it. We don't enjoy telling about events in the United States which disparage us. But we had better tell it, because if we don't you can be assured that those who disagree with us will tell it, and they will distort it. The world will hear, not the truth, but the version that our opponents want them to hear. When we tell the story, we not only tell it factually, we put it in context and perspective.

As deplorable as the race riots may be, we can speak proudly—and factually—of the great progress that our country has made on civil rights in the last few years.

A Negro sits in the Cabinet of the United States. The President has appointed to the Supreme Court of the United States an outstanding Negro lawyer. The people of Cleveland and Gary have elected Negro Mayors. The State of Massachusetts is proudly represented in the U.S. Senate by Senator Edward Brooke, a Negro, and the House of Representatives has distinguished members of the same race. The people in the South, white and black, have elected Negroes to local and state offices. Negroes today freely use public places—restaurants, hotels, trains, buses—that only a few years ago were closed to them.

We are not a perfect society, but we strive for perfection.

In business and in social life there has been great progress. We have achieved a state of freedom that no country in the history of civilization can match. We have achieved the right for the individual to do as he wishes, the right to enjoy life as he sees fit, the right to a livelihood which has given him affluence on a scale unimaginable in other times and places.

These facts we tell to our neighbors overseas.

I would like to leave with you this final thought:

We have made progress in the technology of communication that would have dwarfed the imagination of science-fiction writers only a few years ago. Miniaturization of information into microfilm, electronic video recordings, a world-wide circuit of satellites for telecasting—these technological miracles are rapidly becoming commonplace. Those that

lie ahead in the 21st century defy our imagination today.

Yet there will be no better communication in the 21st century unless the nations of the world recognize that a full and free exchange of ideas is essential to a peaceful world.

I have frequently said that communication is the lifeline of civilization. Without it, people live in little tribal societies. They are suspicious and distrustful of their neighbors. When we enlarge horizons, when we remove artificial boundaries, we find that every man has something in common with his neighbor. If people can know the facts, if they can exchange ideas, if they can use words so that there is a communication of thought—then the peoples of the world may find understanding.

That is our best hope in this very troubled world.

"Can we communicate in the 21st Century?"

Certainly we can. Assuredly, we must.

RESULTS OF QUESTIONNAIRE

HON. JOHN R. DELLENBACK

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1968

Mr. DELLENBACK. Mr. Speaker, I have recently completed compiling the results of my second districtwide questionnaire sent to all residents of the Fourth Oregon Congressional District.

Although I do not consider my questionnaire a scientific survey of public opinion, I do regard it as a highly effective and very welcome means for me to learn how a good many Fourth District residents think on some basic issues and as an equally effective and welcome means for them to express their views.

The enthusiastic response, to both last year's questionnaire and again to this year's questionnaire, persuades me to continue its distribution periodically.

With permission, I put the results of the questionnaire in the RECORD at this point:

[In percent]

Do you favor—	Yes	No	No answer
Action that would put a ceiling on log exports to Japan?	73	19	8
Enactment of the President's 10-percent surtax after substantial cuts in Federal spending?	29	59	12
Tighter controls on the sale by mail of firearms?	61	35	4
Our Federal Government giving the people more reliable information on what it is doing?	88	6	6
In dealing with civil disorder—			
Stricter handling by police and courts?	81	12	7
Greater emphasis on curing slum problems?	72	18	10
In connection with Vietnam—			
Outright withdrawal?	26	44	30
Halt to bombing of North Vietnam?	20	40	40
Negotiated settlement?	59	12	29
Increased military effort?	42	27	31

PROPOSED EXPANSION OF NATIONAL AIRPORT

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Monday, May 13, 1968

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent to have printed in the Extensions of Remarks an editorial entitled "Good Neighbor to Whom?" published in the Washington Post of May 13, 1968.

There being no objection, the editorial

was ordered to be printed in the RECORD, as follows:

GOOD NEIGHBOR TO WHOM?

The Air Transport Association was very careful in announcing its master plan for the Washington airports to say it was seeking "the dual objectives of best serving the traveling public and being a good neighbor to the community." But its concept of neighborliness seems rather strange when the plan urges that National Airport be expanded in a way permitting it to handle the monster jets of the future and that the runways be changed so some of the planes will disturb those who live along the Anacostia River instead of those who live in Georgetown.

Under the plan, of course, a new terminal

would have to be built at National and parking spaces would have to be tripled, since the airport would be handling more than twice as many people in 1975 as it did in 1965. A new runway would have to be added and an existing one expanded with part of the construction sticking into the river. There would have to be, naturally, new access roads. The cost would be well over \$50 million. In the meantime, this organization of airlines says, the growth of Dulles would continue and 10 years from now it might begin to be almost as busy as National.

If the airline industry could get one simple idea implanted in its collective mind, Washington's problems with air transportation would be suddenly simplified. That simple idea is that National Airport is not a fit place for a major terminal in the jet age. The noise, the dirt, and the safety problems of having jet planes landing in the middle of a city cannot be tolerated. The greatest mistake that has been made was letting the first jet land at National because this encouraged the airlines to plan on bringing more and bigger jets there.

This master plan by the airlines is a massive disappointment. The real task is to figure out how to transfer the traffic from National to Dulles. On this the plan is silent. But since the airlines insist on binding themselves to the fundamental objection to National, the silence is understandable. What is not understandable is why the airlines are so intent on flying jets through the bedrooms and yards of so many people. Maybe the airline executives have become so immune to noise and dirt and danger that they don't know that some people still care.

THE GOOD OLD CURE FOR PHONY "PUPILS"

HON. GEORGE A. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1968

Mr. GOODLING. Mr. Speaker, on May 2 I addressed the House of Representatives and expressed my dismay over the student disorders on our campuses. At that time I mentioned as follows:

These disruptions on the campus are being carried out by an antagonistic and cantankerous minority student element that is completely devoid of a sense of propriety and respect for the rights of others. These rambunctious malcontents seem to forget that as they have a right to a formal education, so do they have a responsibility * * * to their university, to the university faculty, to their fellow students, and to our society. Something has to be done to discontinue this disgrace to America caused by an unruly minority student element.

Mr. Speaker, John M. Cummings has—in an article appearing in the editorial section of the Philadelphia Inquirer of May 13, 1968—recommended a solution for this problem of student disorders, and because of its unique and practical nature, I insert it into the RECORD for the attention of my colleagues. The article follows:

THE GOOD OLD CURE FOR PHONY "PUPILS"
(By John M. Cummings)

It so happens, friends and fellow travelers, we are old enough to remember when a piece of birch was used as a punitive device in the public, and perhaps, private schools. Moreover, when the principal of a school, or the superintendent of the district, issued an expulsion order, the scholar named was banned from attending classes.

Not only the student who defied the rules and regulations of the school but also his parents were informed by registered mail of the expulsion. If the family moved to another town, the reputation of the expelled student as a bad actor was bound to follow him. And generally, with dire consequences.

These hare-brained college students who defy authority in institutions across the country cry out for an overdose of expulsion medicine. But the people in charge of these knowledge factories, apparently, are afraid to apply the ancient cure.

This business of trying to reason with overgrown kids who have no sense has gone too far for the good of the affected schools.

A flagrant case in point is Columbia University in New York. Here students have gone to the extreme of taking over the President's office and indulging in a sit-in spree. If you think this is an outrage on a great university, scratch your head and ponder the alumni and faculty members who have engaged counsel to ask for a Federal injunction to prevent disciplinary action against the rampaging students.

Last week the university finally felt called upon to summon in the city police to oust the sit-inners. The trouble grew out of a university plan to construct a gymnasium on a site adjacent to Harlem. The students complained the structure would destroy a play field for the kids in that area.

Dr. Grayson Kirk, the University President, said legal action would be taken against persons found to have removed important papers from his office during the sit-in.

A sit-in at Roosevelt University in Chicago had as its root trouble the refusal of authorities there to provide a full-time job for Prof. Staughton R. Lynd. A former member of the Yale faculty, Lynd defied an order of the United States by traveling in Vietnam and China without proper permit. So, you see, an order by the State Department means nothing to these overgrown children attending institutions of higher learning.

In California, Stanford University students some 400 of the breed, have engaged in a sit-in protesting the suspension of seven scholars who were fired in November for demonstrating against campus recruitment by the Central Intelligence Agency.

Temple University, to come closer to home, had a sit-in going as part of a demand for a louder voice in formulating the institution's policy.

This is another case of the tail attempting to wag the dog. These students, like their counterparts elsewhere, entered the university fully aware of the rules and regulations.

Only a small group of Temple students was involved. Mitten Hall, where the juveniles were encamped, was closed for the night.

Arguing with these students, whether they be in Temple or Stanford, is a thankless job. It's like contesting with a bad-tempered child for the possession of a piece of candy.

Expulsion is the proper cure. For the benefit of the men or women in charge, the word is spelled "expulsion." Throw them out and keep them out. There is plenty of work to be done. The want ads cry out for lads who can't behave themselves and for gals who would make good dishwashers when their days as college disturbers are ended permanently.

COMMENT ON CONCEPTS OF BLACK POWER AND WHITE POWER

HON. HERMAN E. TALMADGE

OF GEORGIA

IN THE SENATE OF THE UNITED STATES

Monday, May 13, 1968

Mr. TALMADGE. Mr. President, the Atlanta Constitution of May 10, 1968,

contains an article concerning an address delivered in Tuskegee, Ala., by Dr. Benjamin Mays, president emeritus of Morehouse College, in Atlanta.

Dr. Mays, for decades a respected Negro educator and outstanding leader of the Negro community, told a gathering at Tuskegee that Negroes should demand their rights through the courts, and not through rioting, looting, and burning. Equally important, he stated that solutions to race problems can be found in training the unskilled and in securing jobs for the unemployed. I heartily concur in these observations and commend them to the attention of reasonable men of both races, both white and Negro, in these most difficult times.

It was my privilege to speak in Atlanta on April 27 on the need for more jobs and more job training as the best answer to the social and economic problems confronting millions of our people today. As I stated at that time, all manner of proposals have been put forth as the answer to these problems, including better communications between the races, better housing, improved police protection and service, and a more workable welfare program, to name just a few. All of these are important and do have some part to play in the improvement of our society.

But I submit that the best solutions and the most important solutions can be found in education, in job training, in the creation of more jobs, and in more people who are ready, willing, and able to fill these jobs.

I ask unanimous consent that the article be printed in the Extensions of Remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

COURTS, NOT RIOTS, MAYS ADVISES—MOREHOUSE PRESIDENT GIVES ADDRESS AT TUSKEGEE

TUSKEGEE, ALA.—Negroes must demand their rights through the courts, not through rioting, looting and burning, Dr. Benjamin Mays, president emeritus of Morehouse College, said in a recent speech at Tuskegee Institute.

Dr. Mays, delivering the keynote address at the John A. Kenney Memorial Banquet, defined his concepts of "black power and white power" in his speech.

"Power is the ability to formulate goals and objectives, the ability to achieve goals and objectives, or the ability of one to do what he wants to do without goals and objectives," he said.

"When you talk about white power," Dr. Mays said, "you are talking about 90 per cent of the population that has 99 per cent of the wealth and shapes the policies in government."

He contrasted black power as the 10 per cent of the population freed 100 years ago without money, land or education. Defining black power in part as "competence in your chosen field," he gave as examples Willie Mays in baseball and Macon County, Ala., Sheriff Lucius Anderson.

Solutions to racial problems, Dr. Mays said, lie in training the unskilled and in jobs for the unemployed.

The banquet was part of the 56th annual meeting of the John A. Andrew Clinical Society which brought together some of the nation's leading medical authorities to the campus of Tuskegee Institute.

SGT. RICHARD W. BASKIN, U.S.
MARINE CORPS, RECIPIENT OF
NAVY CROSS MEDAL

HON. WILLIAM T. CAHILL

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1968

Mr. CAHILL. Mr. Speaker, I have the distinct privilege and great honor of representing an outstanding young citizen, Marine Sgt. Richard W. Baskin, a resident of the Sixth Congressional District.

Last Saturday, the citizens of Palmyra, N.J., gathered at Palmyra High School to pay tribute and honor to Sergeant Baskin who was presented with the Navy Cross Medal, our Nation's second highest award, for heroic actions in Vietnam. His citation from the President of the United States reads as follows:

WASHINGTON, D.C.

The President of the United States takes pleasure in presenting the Navy Cross to Sgt. Richard W. Baskin, U.S. Marine Corps, for service as set forth in the following

CITATION

For extraordinary heroism as Squad Leader, First Squad while serving with Security Platoon, Sub Unit #1, Headquarters Company, 26th Marines, 9th Marine Amphibious Brigade near Khe Sanh, Republic of Vietnam on 6 June 1967. Sergeant Baskin with seventeen men was responsible for security of the vital radio relay position on Hill 950 near Khe Sanh, when in the early morning hours the position was suddenly attacked by a ninety man enemy company employing mortars, rocket launchers, machine guns and grenades. Six men were immediately killed and four others seriously wounded. Sergeant Baskin directed that artillery fire be called in and quickly organized his men, positioning them in the most advantageous positions to return a heavy volume of fire upon the enemy and effectively block enemy penetration. Throughout the night, although painfully wounded, Sergeant Baskin, with complete disregard for his personal safety exposed himself continuously to enemy machine gun fire located only fifteen yards from his position. Shouting encouragement to his men, he led them on several occasions to positions that blocked enemy attempts to outflank and overrun the position. After over seven hours of close and continuous combat, during which time he tended the wounded and assembled all available weapons, Sergeant Baskin led his remaining men in a fierce counterattack which overran an enemy machine gun emplacement, killing one enemy and capturing another. This last attack resulted in the enemy fleeing, carrying some of their dead and wounded. Sergeant Baskin, then consolidated the position and directed the evacuation of the dead and wounded before he himself was evacuated. As a result of his dauntless leadership, Sergeant Baskin and his men inflicted great damage on the enemy who left ten of their dead and one wounded. Sergeant Baskin's bold initiative, exceptional fortitude and valiant fighting spirit served to inspire all who observed him and upheld the highest traditions of the Marine Corps and the United States Naval Service.

PAUL R. IGNATIUS,
Secretary of the Navy,
(For the President).

Mr. Speaker, Mrs. Cahill joins me in extending congratulations and best wishes to Sergeant Baskin and his family.

EXTENSIONS OF REMARKS

MORE UNFILLED JOBS THAN
UNEMPLOYED PEOPLE?

HON. GEORGE D. AIKEN

OF VERMONT

IN THE SENATE OF THE UNITED STATES

Monday, May 13, 1968

Mr. AIKEN. Mr. President, I ask unanimous consent to have printed in the RECORD an article entitled "More Unfilled Jobs Than Unemployed People?" written by David Lawrence, and published in U.S. News & World Report of May 20, 1968.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MORE UNFILLED JOBS THAN UNEMPLOYED PEOPLE?

(By David Lawrence)

There is a strange paradox in America today. The emphasis is on poverty, "ghettos" and jobless persons. But there are at present probably more jobs available in the United States that remain unfilled than ever before in our history.

The New York Times on May 6 had a headline on its front page which read as follows: "20,000 Jobs Go Begging in City While 135,000 Are Unemployed." The reason given in the article is that "the available jobs and the available workers do not fit each other, so the bare fact of creating more jobs will not necessarily absorb the unemployed."

A glance at the "help wanted" pages in many other cities also shows that day after day the search even for unskilled labor does not always yield results. Numerous families seeking domestic help have given up hope of finding employees through the ad columns of the newspapers or by other means.

If Uncle Sam could somehow organize a national employment system, it would help to fill some of the jobs. It would not, however, solve the unemployment problem. This is because many people do not wish to go to other cities or towns to get jobs. Still others refuse to take work which they don't like.

But the fact is that the jobs are not being filled, and it is the Government's duty to make sure that the idle conscientiously endeavor to fit themselves into jobs before the door or other forms of relief are introduced.

First of all, the federal employment service ought to be enlarged and employers encouraged to file data on their needs with the federal and State agencies located in many cities. Also, the Government could supply training facilities and encourage private industry to organize special agencies to analyze the skills and capacities of individual applicants in order to determine the work for which they are best fitted.

The U.S. Department of Labor, in the figures given to the press on May 8, says that the nation's unemployment rate in April was at its lowest level since the Korean War—namely, 3.5 per cent, which means about 2,500,000 people. But analysis of the figures in 100 metropolitan areas reveals that in the poorest neighborhoods the unemployment rates were high—Negroes at 8.7 per cent and whites at 5.7 per cent. In the better neighborhoods, the nonwhite jobless rate was 6.5 per cent.

The biggest unemployment rate of all is found among teenagers. In metropolitan areas with populations of more than 250,000, there were 292,000 whites and 110,000 nonwhites between 16 and 19 years of age who were without jobs during the first quarter of this year. An organized effort throughout the country to find jobs for teenagers is essential. It happens that more businesses and in-

dustries are discovering advantages in locating outside the big cities. Also, many companies experience fewer changes in personnel when their plants are in the less-populated sections. People in business and the professions often prefer such areas because living conditions and access to recreational facilities are much better outside than in the city.

It becomes necessary, therefore, to provide a means whereby segments of the population can move to localities in which jobs are available. This could be considered a governmental obligation. It would cost only a relatively small sum to set up a system for ascertaining the qualifications of the idle persons in the big cities and training them for jobs elsewhere.

Thirty-eight per cent of the nation's population—or approximately 76 million persons—live in the 30 U.S. cities with a population of more than a million in each of their metropolitan areas. Yet these same cities occupy only three per cent of the land in continental United States. So there is plenty of room for the relocation of people and businesses. It is logical to concentrate on filling the surplus of jobs that is being steadily created outside the big cities.

The nation's slums should, of course, be eradicated. But the expenditure of billions for better housing conditions in these areas will not provide jobs for the idle living in them. The better answer is for the unemployed to go where the work is.

Instead of spending money indefinitely for "relief," it would be far less expensive for the Federal Government to set up an efficient system to aid the unemployed in the United States. This would help not only the jobless but the many companies in almost every part of the country which are in need of employees. Unfilled jobs in America today evidently are more numerous than the unemployed men and women who are capable and willing to work.

TAKE THE UNITED STATES OUT OF THE U.S. TRAVEL SERVICE

HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1968

Mr. CURTIS. Mr. Speaker, I recently had the pleasure of preparing a guest editorial for the April 29, 1968, issue of Travel Trade magazine on the subject "Take the United States Out of the U.S. Travel Service."

In this editorial I suggest that the way to promote travel by foreigners to the United States is not to give more money to the U.S. Travel Service, but rather to have the private travel industry take the lead.

The private travel industry knows what motivates people to travel and can attract tourists to the United States in greater numbers and at lower cost. The travel industry is already spending many times the USTS annual budget to promote travel to the United States. More of this type of spending would promote increased tourist travel to this country much faster than could more Government spending which is unrelated to the profit motive and therefore less result oriented.

The USTS and the Government can do useful work by reducing the redtape over visas and customs which serve as

a real hindrance to foreigners visiting our country. But let the private sector have the responsibility for promoting private travel to the United States. My remarks follow:

TAKE THE UNITED STATES OUT OF THE U.S. TRAVEL SERVICE

(By Representative THOMAS B. CURTIS)

By now most members of the U.S. travel industry should be well aware of the fact that I have staunchly supported your position against the proposed Travel Expenditure Tax during the recent hearings before the House Ways and Means Committee. I did not feel that a restriction on the traditional freedom of Americans to travel abroad was warranted, nor did I believe that the Treasury Department's suggested travel limitations would significantly affect our nation's gold drain problems.

It may therefore come as a considerable surprise to you to learn that while supporting your position on the one hand I am very definitely opposed to increasing the funds made available by the U.S. government to the U.S. Travel Service. Many of the speakers in opposition to the Travel Expenditure Tax suggested that more money be given to the U.S. Travel Service—one fellow even urged giving them a 50-million dollar appropriation—all this in the belief that by giving additional funds our nation could attract more foreign visitors and thereby close the travel dollar gap.

I am anxious to close that travel dollar gap just as quickly as possible and that is why I would like to see our country's efforts in this direction properly guided—and by that I do not mean by giving more money to the U.S. Travel Service. If you gave them more money they wouldn't know what to do with it and if you then sat back and expected some people in Washington to do the job for you, you would soon find out that it was not being done at all.

Nobody in Congress really knows what the USTS is supposed to do. It was established by the Interstate and Foreign Commerce Committee in 1962 but there has never been any research done to determine the exact areas in which the service should function. Since its creation the Travel Service has never requested an open hearing before the committee of authorization to help define its true purpose, functions and identity. The Travel Service simply comes before the House Appropriations Committee each year to ask for more money. The job of the Appropriations Committee is to determine whether the funds previously allocated were properly spent—it is not its function to allow more monies to an agency which has never established a purposeful policy toward which additional funds might be directed.

I believe the private sector of the economy—within the travel industry—should be primarily responsible for our country's efforts to bring more foreign visitors to our shores. You are the people who know travel best, who know what motivates other people to travel and who know what means should be pursued to attract more foreign visitors—in the greatest numbers and at the lowest cost.

Oh, I agree that the government has a role to play and can help to eliminate a lot of red tape problems over visas and customs and the like, and possibly can act as a sort of catalyst to bring the private sector together, but I am confident that you, within the travel industry, can do the best possible advertising and promotional job and should be handling this aspect of the overall Visit USA program.

Private capital within the travel industry is already spending many times the USTS annual budget in its own efforts to develop Visit USA business. Why not coordinate your efforts, pool your funds or a portion of them, get some money and some help from the U.S. government but make this a private travel industry effort—not another govern-

ment-sponsored, owned and operated bureau. Don't you really believe that the travel industry could do a better job and do it more efficiently with greater results and less expense?

I urge you—take the U.S. out of the U.S. Travel Service and put yourselves into it by working to create a privately owned and operated travel service, helped but not controlled by the U.S. government. An open public hearing with travel industry representation, similar to that made before the Ways and Means Committee when the Travel Expenditure Tax was under discussion, could produce positive results along the lines I have been suggesting—results which the travel industry and the nation would indeed find profitable.

WHY TO BE AN AMERICAN CITIZEN?—ESSAY BY PETER AST

HON. JOHN G. TOWER

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Monday, May 13, 1968

Mr. TOWER. Mr. President, Mr. L. D. "Red" Webster, a vice president of Lone Star Steel Co., of Dallas, has invited my attention to an essay entitled "Why To Be an American Citizen?" written by a young German boy. I believe that all Senators will be deeply interested in and moved by this youngster's thoughts. I ask unanimous consent that the essay be printed in the Extensions of Remarks.

There being no objection, the essay was ordered to be printed in the RECORD, as follows:

A GERMAN YOUNGSTER SPEAKS: "WHY TO BE AN AMERICAN CITIZEN?"

What would a normal European answer if you would ask him what he thinks of America?

"America? Well, this country is this far away. It is one of the two world powers, but I think even stronger than Russia. It is a vast country. I heard even bigger than all the countries of Western Europe together. It is very much industrialized, the people earn much. They own big cars and houses. This country is the modern one in the whole world, and it is the land of unlimited possibilities."

Is it, therefore, that every year ten thousand of Europeans go to the United States in order to live here and to become citizens of the USA?

Why did all the millions of immigrants come to America during the last few hundred years?

One of the reasons was the attraction to go to a new unexplored country.

Another reason was that the immigrants heard in their home countries how wonderful this new country was and how fast a man could get rich.

But the main reason was the word "freedom." "Freedom," a word which was neglected in almost all other countries all over the world. (When on July 2, 1776, the United States of America were formed, there were only a few other republics, like Genoa, Venice, Switzerland, Andorra, San Marino, and The Netherlands.) The other countries had as governments dictators, kings, emperors, sultans, and other undemocratical systems.

There was always the "magic" opened door, opened for everybody. And millions of people who were suppressed and persecuted or were dissatisfied with their governments could come and stay here.

But why do the Europeans whose countries now have about the same freedom as the United States come here?

I think the strongest magnet which America still has is the fame to be a land of un-

limited possibilities. (There is no reason for a man who wants to work not to get along in this country.) It is obvious that America has a high living standard which is about nine years ahead of the living standard in Western Europe, more than ten years ahead of Eastern Europe, and many more years ahead of Africa, Asia or South America.

What are all the good things which a person would like to become an American citizen for?

When immigrants from countries all over the world came to America they wanted to have freedom, to have a democracy. They suffered very much for this but they reached their aim. The democratic government of the United States of America has one of the best constitutions a country has or has ever had.

This constitution provides for everything: For proper elections of government officials, for dividing the power a government has, for the preservation of the government through the system of checks and balances, and finally for the good relation between the Federal government and the state governments.

Besides this, the Constitution is written in a way that makes it possible that it can always get corrected and can get righteous to the needs of every century and every new position the United States is in.

All this is a matter which freedom has very much to do with. In perhaps 60% to 70% of all countries today, citizens are not allowed to express their opinions. Here in America, though, every citizen has the right (or even the duty) to express his opinion.

They can do it in founding a new party, or an interest group, in participating in an interest group, in giving speeches, or writing to newspapers.

This right of expressing his own opinion is very important and vital to a free society.

Besides the freedom of speech, an American citizen has the freedom of religion which is oppressed in many other countries.

Another outstanding advantage the United States has is the economy: America is blessed with natural resources, gold, silver, copper, tin, coal, oil, water, soil all resources a country needs.

Since the beginning of the United States the system of free enterprise was favored. Therefore, a strong economic life could be developed and an industry built up. America, today, is one of the most industrialized countries in the world. In no other country is it possible to lend or borrow money as easy as here. In no other country a citizen can get credit as easy as here. In no other country is the relation between wages and prices as good as in the United States.

It is, therefore, evident that life in this country is easier than in any other country.

Related to the subject of welfare is the subject of education.

Nowhere in the world does every child have to go to school for at least ten years. Nowhere as many and as modern schools are built as here. The teachers are well trained, and the teaching methods modern.

Every student with a high school diploma can go on to a University, and if he is a good student, can get a scholarship.

There is no other country in the world which gives all the school books to every student and doesn't ask for a school fee.

Every year many good scientists from all over the world come to America in order to study here, to teach here, or perhaps to stay here. Why? The government provides for modern and excellent science centers. Nowhere as much money is spent for scientific examinations and experiments as in America.

In our days government and policies are very much criticized, but only a few people say one good word about it. I think that a quotation of Benjamin Franklin fits very good as this place. "When the well's dry, we know the worth of water."

Countries which had dictatorships or simi-

lar systems before, know now—as they have democracies—how high the worth of a democratic government is and how unpayable.

Therefore, many American citizens have to learn to appreciate their citizenship.

I guess I have to come back to freedom again.

Voltaire: I disagree entirely with everything you say, but I will defend to death your right to say it.

The greatest step toward freedom was taken when in 1791 the ten amendments were adopted and added to the Constitution of the United States. They were called the Bill of Rights.

In these ten amendments were granted: Freedom of religion, freedom of speech, freedom of publishing, freedom of assembling; the right to be secure in person, house, and all properties, the right not to be searched or seized unreasonably, the right to be judged fairly and to get a speedy and public trial, and at least the right to have a defense before a trial.

What could be worthier than these amendments? Even with all his materialism and without these rights, who would try to get away from persecution and flee to America?

The sharpest menace to freedom probably arises in time of war. Who would not like to live in a country like the USA which is the strongest country in the world? Who would not feel himself secure in it? I mean that every American citizen should be very proud of his status.

But he should remind himself very often of this and then think about the citizens of other countries, especially of the underdeveloped ones.

The American Citizen doesn't only have the luck and right to live in such a wonderful country, but he also has the task of trying to improve the conditions in other countries and always to help democracy and freedom all over the world whenever these ideals are endangered.

PULITZER PRIZE AWARDED THE PRESS-ENTERPRISE

HON. JOHN V. TUNNEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1968

Mr. TUNNEY. Mr. Speaker, the Press-Enterprise in Riverside, Calif., has won the Pulitzer Prize for meritorious public service for a series of articles dealing with the administration of the property and estates of the Agua Caliente Indians in Palm Springs, Calif.

I salute Mr. Tim Hayes, publisher, and Mr. Norman Cherniss, editor, for the Press-Enterprise's policy of going beyond the duty of printing just the news; and I commend Mr. George Ringwald, the reporter who—week after week in his articles—endeavored to present all of the truth to the public.

I am very proud to have the Press-Enterprise in the 38th District and to be able to put in the RECORD the following announcements of the awarding of the Pulitzer Prize to the Press-Enterprise which appeared on the front page of the May 6 and 7 editions of the paper:

[From the Riverside (Calif.) Press, May 6, 1968]

PRESS-ENTERPRISE WINS PULITZER PRIZE

NEW YORK.—The Riverside Press-Enterprise today was awarded the Pulitzer Prize for meritorious public service for its series on

the Palm Springs Indian guardianship controversy.

The series was written by George Ringwald, veteran reporter for the Press-Enterprise, and was partly responsible for the pending congressional investigation of the guardianship program and the investigation of the conduct of judges and attorneys by the state Commission on Judicial Qualifications.

Ringwald has been working on the series full-time for more than a year. There have been more than 100 articles in the series.

Except for the prize for meritorious public services, which carries a gold medal, each of the awards was worth \$1,000. Where the awards were shared, each recipient receives \$1,000.

The awards, first made in 1917, were established in the will of Joseph Pulitzer, founder of the St. Louis Post-Dispatch and publisher of the old New York World. He died in 1911.

The Press-Enterprise's award was made for articles which led to an investigation of charges of misconduct and financial enhancement of some judges concerned with Indian estates.

The affected tribe, the Agua Calientes, numbers about 100 members, who own some 28,000 acres in and around Palm Springs estimated to be worth \$50 million.

The first stories appeared on May 20, 1967. They coincided with a public announcement that the conservatorship-guardianship program was being investigated by the Department of the Interior. Concurrently, fees to guardians and conservators were stopped, pending the findings of the department's investigation.

The Press-Enterprise has conducted an investigation of the program independently of the government's probe. So far 107 articles have been printed on the controversy.

A congressional hearing is scheduled for May 31.

Ringwald, 44, has been a reporter for the Press-Enterprise since 1948. He was born in St. Louis, and attended Colorado State University.

During World War II he served in the infantry. After the war he tried an acting career on Broadway, then came to Riverside.

During his career with the Press-Enterprise he served as chief of the Banning and Palm Springs bureaus, and as a police reporter.

In 1965 he was an exchange reporter for a newspaper in Sendai, Japan, Riverside's sister city.

The series of stories on the Palm Springs Indian situation won strong support from the Press-Enterprise's editorial page.

Editor and co-publisher of the Press-Enterprise is Howard H. Hays Jr.

After the final report of the Department of Interior task force, the paper called for further congressional investigation and for an active address to problems of judicial and legal ethics involved by "the appropriate committees of the state and county bar associations." The editorial also stressed a "need for restitution of unconscionable profits made from the management of Indian affairs."

Editor of the editorial page and associate editor of the Press-Enterprise is Norman A. Cherniss.

The Department of Interior has issued two reports on its investigation.

One, issued in October, leveled charges of "questionable conduct at three Riverside county judges and one attorney, all closely associated with the guardianship program."

A second, made public in April, charged that the program had been costly to the Indians, both economically and in human values.

The Interior Department has said that its investigation into what one judge has referred to as the "can of worms" of the conservator-guardianship program will not be

carried further due to the lengthy procedures required for auditing each estate.

Rep. John V. Tunney, D-Riverside, has stated himself publicly in favor of abolishing conservatorships, as presently established. He introduced one bill in the House which would have revised the current system. The bill has been opposed by the Agua Caliente Indians, who say that they were not consulted in its formulation.

It has been reported through reliable sources that the state Commission on Judicial Qualifications has also undertaken an investigation of the manner in which the guardianship program has operated.

Conservators are court-appointed business managers for adults and guardians act in the same capacity for minor children of the Agua Caliente band of Indians.

[From the Riverside (Calif.) Daily Enterprise, May 7, 1968]

WAS BUSY ON A LONELY JOB WHEN WORD CAME

(By Garland Griffin)

Reporter George Ringwald was busy yesterday morning, on a lonely job, doing what he mostly has been doing for the past year, when they called him from the office and told him we'd won a Pulitzer Prize.

He was mulling through the files at the branch courthouse at Indio, piecing together another story of an Agua Caliente Indian who was supposed to be wealthy but wasn't.

They told him on the phone maybe he'd better, in view of the Pulitzer Prize, knock it off for the rest of the day and come back to the office in Riverside.

Then the Associated Press called from New York before he could get out of the Indio Courthouse and interviewed him for something called audio report. He'd never heard of it before.

Back at the office there was a long, large banner of wrapping paper striped across the newsroom wall proclaiming "George Ringwald . . . we love you!"

There was considerable excitement in a normally unperturbable newsroom.

There were several telegrams of congratulations.

There was one from Gov. Ronald Reagan: "Congratulations to you and your newspaper," it said. "The Pulitzer Prize for meritorious public service is an award that is given for only the most distinguished examples of reporting. Your selection for this coveted prize brings credit not only to you and your newspaper but also all Californians. This is another example of California leading the nation."

There was one from Frank Tremaine, general manager of United Press International which said:

"Cheers and sincere congratulations." United Press International was on the phone to interview him.

Pretty soon an NBC television crew rolled in and set up a lot of lights and cameras, and they interviewed him.

George Ringwald was a little nervous and flustered.

He'd interviewed thousands of people, all kinds of people, since he'd been a news hand. But no one had ever interviewed him before.

He said on TV that his job wasn't finished. There was a lot more work and a lot more research and reporting and writing to do on the matter of the Palm Springs Indians and their guardians and conservators before it would be finished.

He said he thought it was a fine thing to work for a newspaper that would turn him loose on such an assignment and support what he found out.

Actually, George Ringwald has never worked for any other newspaper except the Press Enterprise.

Now 44, he came to Riverside shortly after World War II to join an old Infantry friend,

Gordon Wilson, then a reporter, now Enterprise news editor. He and Wilson had been together in training camps and through France and The Bulge.

After the war Ringwald had tried all sorts of things. Radio announcing. Managing a ten-cent store. Acting on Broadway.

He seemed to find his niche as a reporter.

At first he was a police reporter for The Press, then went to Palm Springs as bureau chief for the Daily Enterprise from 1955 to 1960. He left the Press-Enterprise for two years in 1960 to become editor of Palm Springs Life magazine.

Then he came back to be a general assignment reporter for the Enterprise and do a lot of things.

One of them was going to the Kaboku Shimpō in Sendai, Japan, Riverside's sister city, as an exchange reporter in 1965. He prepared for that like he prepares for a lot of his assignments, by working and research.

He began reading about Japan and studying the Japanese language. It's not an easy language for westerners, but he mastered it pretty well.

When he got his vacation the following year he went back to Japan, without telling anyone, and came home with a Japanese bride.

He and Kimiko now live in Banning with their new son, George Alexander.

During his years at Palm Springs and in the years since, George Ringwald has won many awards and prizes.

There was the Headliners Club award in 1964 for the series he did on restaurant grading.

The work he's done on the Indian conservator-guardian program has already done well this year. It won a special editorial citation in the California Newspaper Publishers Association judging. Later it won the same sort of editorial citation from the Twin Counties Press Club and was singled out for an award by the American Political Science Association for public affairs reporting.

And there have been other awards. He can't even remember all of them.

But a Pulitzer is different. It only goes to a very few people.

He'll never top that one, and he won't worry about trying to.

He'll just go back to work today, alone in the clerk's files in the courthouse at Indio. Such research is a lonely job.

UAW'S PIE IN THE SKY

HON. PAUL J. FANNIN

OF ARIZONA

IN THE SENATE OF THE UNITED STATES
Monday, May 13, 1968

Mr. FANNIN. Mr. President, it has been widely reported in the press that the United Auto Workers of America are much interested in amending the Constitution. The big union, under the leadership of Walter Reuther, met in convention last week at Atlantic City to consider a proposed set of constitutional amendments guaranteeing: Jobs, minimum wages, annual income, cradle-to-grave medical care, a good house in a good neighborhood, and free education through the first 2 years of college.

Mr. President, I suggest that that is quite a package. I am tempted to call it a bundle of dreams and bid Mr. Reuther and friends a speedy return from their excursion into "Wonderland." I suggest that it is somewhat like Lewis Carroll's famous "Caucus Race," where everybody runs and everybody wins a prize. Mr. Reuther and company, however, will

just eliminate the running and award the prizes indiscriminately.

I say I am tempted to call it fantasy, Mr. President, until I look back at some of the things labor bosses were dreaming about 30 years ago and see how many of them are with us in the form of legal regulations. I think it is a serious mistake to underestimate Mr. Reuther and his plan to "socialize" America; because that is what those proposals would do if they ever became law.

Of course, it is hard to be "against" a job, or a good house in a good neighborhood, and all the rest. No one in Washington, so far as I know, is really against those things. But it is typical of the "nonthink" popular today to suppose that wealth, or health, or well-being can be produced by simple Government edict.

Shakespeare put it most succinctly when his character of King Henry V muses to himself:

Canst thou, when thou command'st the beggar's knee, command the health of it?

There are simply some things that are beyond the guarantee of man, or man-made laws.

Dr. Harley L. Lutz, professor emeritus of Princeton School of Public Finances, wrote a singularly perceptive editorial for the Wall Street Journal that was published on the same day as the UAW's pie-in-the-sky amendments. In it, he points out that—

Everything man needs and wants has a cost of production that must be met.

That is to say that everything costs somebody something. When Mr. Reuther and his lieutenants say that—

The country now has the affluence to guarantee these rights.

What they are actually saying is that some of the taxpayers can be taxed still further to provide these guarantees.

Mr. President, I am certainly not for people being poor. Nobody is. Neither am I for guaranteeing someone a living who is not willing to work, not willing to make the most of his opportunities. If someone is unable to work, that is an entirely different matter.

We must begin to use our brains in this country. Nobody—absolutely nobody—can guarantee the promises made in this account. Dr. Thomas Matthew made a statement the other day to a group made up of members of his own Negro race. He said:

Our grandparents had a guaranteed annual wage—they called it slavery.

Let us begin again to think about these issues rather than yield to the siren call of the nonthinkers, the pie in the skyers, when they promise the impossible.

Mr. President, I ask that the two articles, from which I have quoted, be printed at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, May 8, 1968]

FREE LUNCH? IT STILL DOESN'T EXIST

(By Harley L. Lutz)

A wisecrack often heard some years ago purported to sum up all economic theory and wisdom in the observation, "There is no such thing as a free lunch." In the pre-prohibition days the term "free lunch" referred to the repast almost universally found at one end of

the bar in the establishments purveying alcoholic beverages. It was usually abundant, often of good quality, and the privilege of tucking into it cost a minimum of one drink at the bar. Even so, "free" did not mean without cost, for this was obviously recouped by the proprietor in his bar sales. The disproportion between available supply and cost to the consumer provided the appearance, if not the reality, of a free lunch.

From the dawn of history men have dreamed of an earthly existence in which all wants would be provided for without work. The story of Adam and Eve in the Garden of Eden is the earliest example of such wishful thinking. The story has its special meaning for theologians and philosophers, but it also has an economic moral. It is that mankind never had a chance of existing on this planet without working for food, shelter and all else called for by expanding wants. Until the industrial revolution ushered in the era of labor-saving devices and techniques, production involved unremitting, backbreaking toil, which may account for the view that the decree of expulsion from Eden—getting food (and all else) by sweating for it—was a curse.

This decree reflected the simplicity of the original distribution of wealth. Each man was to work for his subsistence, and each owned and was free to enjoy what he had produced. Adam Smith put it in these words: "In that original state of things which precedes the appropriation of land and the accumulation of stock (capital), the whole produce of labour belonged to the labourer. He has neither landlord nor master to share with him."

PROBLEMS STILL HERE

That original state of things, in which the produce of labor would have been very meager, was followed by developments that introduced other claimants to a share of the product. The problems of distribution that emerged are still with us.

The dictum about no free lunch merely asserts that everything man needs and wants has a cost of production that must be met if the flow of goods and services is to continue. It does not deny that some can live without working, nor does it resolve the distributional problem of cost apportionment in relation to the gains or benefits from production. Illustrative of the answers proposed are such slogans as "Production for use, not profit," and "To each according to his need."

As an oversimplified formula for equitable solution of the problem the following is proposed: The distribution of wealth and income should be on such terms as would best promote the optimum increase in productive resources, secure maximum utilization of resources in production and provide to each productive factor a share of the product reasonably approximate to the contribution of each to output.

The above objectives of an acceptable distributional system would leave no room for a free lunch, that is, for a gain or benefit not paid for, or not adequately offset by a contribution to product. Unfortunately, from various directions there is interference with accumulation, with utilization, and above all, with apportionment of income. There is a constant struggle for a larger slice of pie even though we turn out a bigger pie every year. In consequence, there are opportunities for some to get a free lunch, which in essence means getting something for nothing or for less than a proper equivalent. Some illustrations of these opportunities are discussed below.

The Robin Hood method. The legendary Robin Hood will serve here as representative of that large group which seeks to redistribute wealth and income by force, unscrupulous cunning or other methods not approved by society. A substantial, perhaps a growing, part of the expanding crime wave consists of depredations against property, with the "take" mounting into many millions annually. These malefactors run the

risk of getting free meals at the expense of the state, but this possibility has been somewhat reduced by the recent barriers to arrest and conviction.

The conflict over wages, prices, and profits. This conflict occurs in the broad economic arena that produces the immense flow of goods and services destined for support of the people and the government. Since ours is, in theory, an economic system of free, private, capitalistic enterprise, its dominant characteristic is competition.

Producers compete against each other for markets and sales volume; workers compete against each other for jobs and higher pay; consumers shop around for the best bargains. Wage levels affect costs that, in turn, influence prices and profit margins. The relative contribution of labor, capital and management to the final product is not determinable by rigid mathematical formula. It is, rather, a result of opposing forces, and the outcome would be deemed inequitable only if the balance of advantage went too far in one direction or another. Thus excessive wage costs would impair profit margins and tend to limit capital formation, or reduce sales volume if passed along in higher prices. The best remedy for high profit is high profit, for additional capital would move in under the attraction of abnormal profit return. A free, competitive economic system tends toward self-correction of extremes, and hence would provide few opportunities for a sustained advantage that might be regarded as a free lunch.

However, despite lip service to competition, neither business nor labor likes it. Each prefers to erect some sort of shelter behind which there would be a better chance of additional advantage. The immediate opponent would be the other party, but the ultimate burden bearer, of course, would be the consumer or the general public.

The opposite of competition is monopoly, and the various devices developed by both business and labor have aimed at mitigating the severity of competition by some form or degree of monopoly control. The earliest form was protectionism as a shelter against foreign competition. To the extent it was effective it gave American business and labor a monopoly of the domestic market. There was no recognition of the much greater benefit to all parties from the free exchange of goods and services among all nations. A considerable part of the many billions we have poured out in the past 20 years to aid underdeveloped nations would have been unnecessary if, over a longer period, our trade policy had permitted them freer access to our market and hence more opportunity to develop their own resources.

Over the past 30 years business has not fared as well as labor in the effort to ease the severity of competition despite price maintenance, fair trade and undetected deals to divide territory or rotate bids on big contracts. Federal legislation against monopoly and restraint of trade has been consistently construed as applying only to business, which was indeed the chief culprit at the outset. Labor unions are not subject to antitrust law, although an industrywide strike is obviously restraint of trade. The original Wagner Act and the National Labor Relations Board decisions under it have established a much longer list of unfair labor practices chargeable to employers than is the list chargeable to labor. Compulsory union membership and check-off of dues by employers have consolidated union power, and industrywide contract negotiations have reduced the concept of "collective bargaining in good faith" to a benevolent phrase with little substance.

Much is made of the right to strike. The option of not working is protected by the Constitutional ban on involuntary servitude, but nothing equally effective is said or done about the right to work. The phony sanctity of a picket line is invoked to prevent those

who want to work from entering a factory, office or school building, and where "right-to-work" laws make union membership unnecessary, peaceful persuasion can be a strong deterrent. The callous indifference of so-called labor leaders to the consequences of a crippling strike for the economy, the school children or the health and safety of the community is a prime instance of grabbing a free lunch—getting something for one's self at the cost of loss, inconvenience or even suffering on the part of thousands who are in no way party to the dispute.

The Federal budget. The Federal budget has become the outstanding example of a free lunch. Its benefactions are not provided by a squeeze play, as so often happens in the case of business-labor disputes. Rather, they are spread out in reach of everybody with the consent and approval of the Congress and a large proportion of the people.

The popularity of the Federal budget's free lunch is due to the provision in it of something for everybody, whether poor or rich, businessman or farmer, urban or rural, state or city, college or grammar school, old or young, and of course without regard to race or color. A foreigner who might read all of the reports, messages, speeches, state papers and other material in support of Federal programs might very well conclude that virtually everybody in the nation needs Federal help and apparently is getting it in one way or another. More things are free to more people, or are inadequately paid for by them, than ever before in our history, and there is no dearth of new programs to extend this benevolence.

FALSE DELICACY

The obligation of society to care for the needy and the unfortunate is not in question here. What is challenged is the free-lunch policy under which largess is distributed to the well-to-do and the affluent as well as to the needy. The policy is based in large part on a false delicacy that steers clear of any reference to charity. Hence, handouts are across the board, supposedly to remove any stigma attaching to the deed. But, we now have an official definition of poverty and a classification of the poor as an identifiable group with vested rights to public support and to the management of antipoverty funds. The idea that those in this depressed condition know best how to get themselves out of it is a political sop, and the feuding among the professional leaders of the poor accounts for the lack of progress that has been made.

No matter how thin it is sliced, legitimate Federal support is charity or philanthropy, to use a more expensive word, and it should be confined to relief of genuine need, whether the beneficiary be a state, city, college, business or individual.

It is characteristic of the Government's free-lunch approach to assume that every economic ill can be remedied and every problem solved by spending more money. Rent supplements, subsidized housing, negative income tax, Government payroll and other ways of spending money are deemed to be the best procedure for getting people out of the "ghettos."

The only way to improve permanently the lot of these individuals is to provide them with jobs, and the only place where lasting, productive, well-paying jobs are to be found is in the private sector. The two prime essentials for this result are first, training for a job and second, additional capital appropriate in amount and character for the job. The best training is "on the job," but lingering racism, union disinterest in apprenticeship and the minimum wage prevent employers from undertaking this kind of economic salvage in a large way.

The attitude of a welfare-state Government is not conducive to accumulation of the additional capital on which new jobs depend. Steep progressive individual taxes, a heavy corporation tax restrictions on interest

rates, control of investments, continual harassment through burdensome regulations and mountains of paper work, a strong bias against business in its relations with organized labor—these are some of the ways by which a Government that has arrogated to itself the function of determining the distribution of wealth and income is hindering the most important action that can be taken to relieve poverty, diminish discontent, and promote the general wellbeing.

More free lunch will not achieve these results, but more freedom for the private economy to rediscover and live by the principles inherent in its nature will do it.

CONSTITUTIONAL RIGHT TO JOB, HOME IS SOUGHT BY UAW

(By Frank C. Porter)

ATLANTIC CITY, May 7.—The United Auto Workers leadership has proposed that the United States Constitution be amended to establish the right of all Americans to:

A job.

"A wage sufficient to support themselves and their families in decency and dignity in accordance with the standards prevailing at the time."

A guaranteed annual income if they are unable to work.

Cradle-to-grave medical care.

"A good house in a good neighborhood."

Free education through the first two years of college.

Entitled an "Economic Bill of Rights," the Constitutional guarantee would afford all citizens redress through the courts if they felt they were denied any of these rights.

The proposal is in the form of a resolution at the UAW's 21st biennial convention here. Although it has not been acted upon by the 2900-odd delegates, its passage is considered a certainty.

It would make the United States Government the "employer of last resort" for those persons willing and able to work who are unable to find jobs in the private sector.

Like the "employer of last resort" plan, the concepts of a guaranteed annual income, comprehensive medical care for all and free education through the first two years of college are not new. The latter, for example, was proposed by Secretary of Labor Willard Wirtz three years ago.

What does distinguish the UAW proposition from other omnibus social programs is that these various guarantees would be rooted in the Constitution, thus giving Americans a legal remedy when they are denied.

In the convention's only business today President Walter P. Reuther and the other three top national officers were re-elected by acclamation. There was no opposition to them although some of the seats on the union's 26-man executive board were contested.

The authors of the UAW "Economic Bill of Rights" proposal have offered it as the logical economic counterpart to the guarantees of political and civil rights embodied in the Constitution's existing Bill of Rights.

The resolution proposed that the guaranteed annual income for those unable to work be provided "through the negative income tax program or some other appropriate means instead of the obsolete and degrading welfare system currently in effect . . ."

The negative income tax—a direct payment by the Government proportional to the amounts that individual or family income falls below a fixed norm—was popularized by a political conservative, Prof. Milton Friedman of the University of Chicago.

A leading framer of the resolution, UAW Research Director Nat Weinberg, concedes that it may sound initially like pie in the sky to the general public.

But Weinberg stresses two points: the country now has the affluence to guarantee these rights and they will never become reality unless they are given a firm basis in law.

BRITISH PERFDY

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1968

Mr. RARICK. Mr. Speaker, the British, under Wilson's Socialist regime, show no respect for U.S. sanctions or agreements.

Conversely, U.S. planemakers should show no hesitancy in dealing with Rhodesia and South Africa.

Why should any American help the perfidious British "save face," U.N. or no?

Who ruled the Monroe Doctrine unconstitutional?

I insert a report of British arms sales to Peru:

[From the Washington (D.C.) Post, May 9, 1968]

BRITISH ELUDE U.S. LAWS TO SELL PERU SIX BOMBERS

(By Karl E. Meyer)

LONDON, May 8.—Britain has agreed to sell six all-British Canberra bombers to Peru for around \$4.8 million in a deal that is likely to provoke some flak in Washington since the planes will be going through a loophole in U.S. laws.

Last summer, the United States was able to block the sale of Canberras to Peru on the grounds that the aircraft were partly financed in the early 1950s by mutual assistance dollars provided to Britain by America.

But it was confirmed here today that Britain has located six Canberras which were wholly financed by British firms and therefore—so British sources firmly maintain—are not subject to America veto.

DELIVERY IN 1969

The bombers that Peru will get are Royal Air Force planes that will be refitted for delivery next year. The order is being filled by the British Aircraft Corp., which has absorbed English Electric, original maker of the Canberra.

BAC spokesmen would not comment, and the Foreign Office maintains a formal silence on all such arms deals. But the story surfaced through industry sources and has been authoritatively confirmed.

The British sale follows the recent Peruvian purchase of French Mirage V supersonic bombers, a deal that was also opposed by the United States. One Washington view was that sale of sophisticated planes stimulates a Latin American arms race and that Peru has more important things to spend money on than Canberra bombers.

U.S. planemakers also hoped to sell to the Peruvians and others. While the U.S. Government welcomed this for balance-of-payments purposes, it said no deliveries could be made before 1969.

CONGRESSIONAL ATTITUDE

Partly as a result of controversy over Peru's purchases from France, the U.S. Congress has attempted to further circumscribe purchase of sophisticated weapons by countries receiving American aid.

Arms sales are increasingly regarded in balance-of-payment terms. British sources remark somewhat sourly that the United States long had a virtual monopoly on arms sales to third-world countries and is unwilling to compete fairly with Europeans.

Americans reply that some areas are now off-bounds for political reasons to U.S. suppliers and that the entire market has become far more competitive since purchasers increasingly insist on "offset" arrangements—obliging the seller to buy goods from an arms customer.

MRS. FRANK BODINE, OF NORTH DAKOTA, IS AMERICAN MOTHER OF THE YEAR

HON. THOMAS S. KLEPPE

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1968

Mr. KLEPPE. Mr. Speaker, When Mrs. Frank Bodine of Velva, N. Dak., was selected as "American Mother of the Year" in New York City last week, it was a choice which the people of all 50 States will heartily applaud. North Dakotans are especially proud of this outstanding mother of 18 children who, with her husband, reared and educated what could well be called the American family of the year.

Mr. and Mrs. Bodine are retired farmers now. Their 10 sons, all of whom hold college degrees, have gone forth into the world to build successful careers in business, law, journalism, education, the military services, and athletics. Six of the eight Bodine daughters attended college. They, too, have been outstanding in their chosen fields of endeavor.

With that kind of a family tradition, it is more than reasonable to expect that the Bodine's 78 grandchildren and eight great-grandchildren will be heard from one day, as well.

The story of Mr. and Mrs. Frank Bodine is a refreshing one, especially in these times. They have demonstrated that virtually any goal is attainable in this great country of ours, if the will is there.

I am proud of this great "American Mother of the Year" and her family. Her life is a source of real inspiration for everyone.

I include, to have reprinted in the RECORD, the following news report of Mrs. Bodine's selection from the Minot Daily News of May 9, 1968:

"American Mother of the Year"—an honor believed never gained by a North Dakotan before—has been bestowed upon Mrs. Frank Bodine of Velva.

The 70-year-old mother of 10 sons and eight daughters won the title at competition in New York City among state winners. Results were announced today.

Mrs. Bodine's name was submitted in the state contest by the Velva Women's Club. She was one of 14 contestants for the "North Dakota Mother of the Year" award.

A native of Poland where she was born on Feb. 25, 1898, as Elizabeth Grossman, Mrs. Bodine came to the United States in 1913 with her parents and 10 brothers and sisters.

She became the hired girl on the farm operated by Frank Bodine near Voltaire in 1916 and was married to him on Jan. 10, 1917.

Though they both received only an eighth grade education themselves, it was the constant goal of Mr. and Mrs. Bodine to provide their children with something better.

All 10 of the Bodine sons received college degrees and six of the eight daughters also attended institutions of higher learning. They attended colleges from California to Harvard, including Notre Dame—but mostly at Minot.

The name became such a legend at Minot State College where a Bodine was enrolled for 26 years and 19 summer sessions that it prompted the state Board of Higher Education to pay special tribute to the parents in 1965.

As the last Bodine son received his degree from MSC, the proud parents were presented a plaque from the state board commending them "for their interest in higher education."

Through their long years of marriage, Mr. and Mrs. Bodine saw their children attend college, leave the family farm and become good citizens and successful in their chosen fields in North Dakota and out of state.

Until recently retiring and moving to Velva, Mr. and Mrs. Bodine continued to operate the family farm. A son now lives on it.

At Velva, the Bodines live a quiet life, centered largely about St. Cecelia's Catholic church. They attend morning services almost daily as well as Sunday Mass.

Daughters of the couple include:

Mrs. Emanuel (Luella) Fix, teacher-housewife at Harvey; Mrs. Phil (Viola) Prescott, head nurse at a Poplar, Mont., health center; Mrs. Wesley (Jenette) Warlick, a nurse in Minneapolis; Mrs. Robert (Delores) Bernards, St. Paul housewife; Mrs. Gerald (Loretta) Effertz, Velva housewife; Mrs. Floyd (Monica) Goetze, Eugene, Ore., housewife; Mrs. Thomas (Audrey) McLaughlin, San Jose, Calif., housewife, and Sister M. (Patricia) Bernadette, a sub-prioress of the Benedictine Sacred Heart Priory at Richardson.

Sons of the couple are:

Francis, retired Air Force colonel living in Minneapolis; Paul, business manager KXMC-TV in Minot; Charles, teacher in Anaheim, Calif.; John, technical editor in Minneapolis; Mark, Santa Barbara, Calif., lawyer; Robert, coach and principal at Sawyer and Voltaire farmer; Ron, football coach at Minot; Ryan, who recently was named baseball coach and an assistant football tutor at North Dakota State University in Fargo; Gerald, a Carson teacher; Dale, a Navy officer in Vietnam and William, football coach at New Town.

WRIT OF THE LAW AFTER DARK

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Monday, May 13, 1968

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent to have printed in the Extensions of Remarks an editorial entitled, "Writ of the Law After Dark," published in the Norfolk Ledger-Star of May 9, 1968.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WRIT OF THE LAW AFTER DARK

We reprint herewith, as today's comment on a society growing great in terms of measurable lawlessness, the following dispatch that appeared in the Wall Street Journal:

"WASHINGTON.—National Bank of Washington, third largest in the capital, has discontinued late Friday hours at its 20 offices here because of employee apprehension over crime and disturbances in some neighborhoods.

"We found that some employees just didn't want to work late in a number of our offices," said W. T. Vandoren, senior vice president."

The bank kept all branches open until 5:30 p.m. on Fridays and some as late as 7:30 p.m.

What this seems to mean is that the employees didn't want to be departing work so late as to chance being in some of those neighborhoods after dark.

What it means is that the police in the

nation's capital must have lost control of crime in their city, especially after dark, and that the people do not feel safe.

What it means is that the people working in the branches of the National Bank are imposing a curfew upon themselves. Because they live in a city where the muggers and hoods aren't even safe from one another.

A great society we've got going here, isn't it?

Where the law's writ is lucky to run from here to the next corner after dark.

LOUISIANA STATE MEDICAL SOCIETY ENDORSES A MILITARY MEDICAL ACADEMY

HON. F. EDWARD HÉBERT

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1968

Mr. HÉBERT. Mr. Speaker, my proposed Military Medical Academy, which will in effect be a "West Point for doctors," has received a much appreciated boost from the Louisiana State Medical Society.

H. Ashton Thomas, M.D., secretary-treasurer of the organization, has notified me that it has passed a resolution endorsing my proposal. The Louisiana group will introduce a similar resolution at the upcoming convention of the American Medical Association.

Such an Academy would lessen the shortage of doctors in the Armed Forces and it would also cut down on the drain of doctors who are badly needed in civilian communities.

We are making progress in what has been a long struggle to convince the Department of Defense of the validity of this idea, and I appreciate this endorsement from the Louisiana State Medical Society.

I include the resolution at this point in the RECORD:

RESOLUTION 119

Introduced by: P. H. Jones, M.D., Senior AMA Delegate.

Subject: Armed Forces Academy of Medicine.

Referred to: Reference Committee "D."

Whereas, the American Medical Association and the Association of American Medical Colleges has endorsed legislation and plans to increase the output of physicians by expanding medical school facilities and establishing new medical schools to meet the growing need for additional physicians, and

Whereas, the Armed Forces of the United States also have increased need for physicians to meet our Country's growing national defense obligations, and

Whereas, the securing of additional physicians to meet our Armed Forces requirements has further aggravated the shortage of physicians to care for our civilian population, therefore be it

Resolved, That the Louisiana State Medical Society endorse and support efforts to establish an Armed Forces Academy of Medicine along the same lines as our other Military Academies to meet our military requirements for additional physicians without further aggravating the shortage of physicians to serve the civilian population, and be it further

Resolved, That the Louisiana State Medical Society Delegates to the American Medical Association introduce and support a similar resolution in the AMA House of Delegates.

CXIV—822—Part 10

TO INSURE DOMESTIC TRANQUILLITY

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1968

Mr. MICHEL. Mr. Speaker, now that the so-called poor peoples' army has begun to arrive in the city it might be in order to call the attention of my colleagues to the words of Mrs. Mattie Coney, a Negro schoolteacher from Indianapolis who has taught in slum area schools for 30 years. Mrs. Coney, speaking bluntly to the folks she has been trying to help, says:

I realize that we Negroes have been treated unfairly for many long years. But more opportunities are now being opened to us and the way is becoming brighter. We should quit spending so much time feeling sorry for ourselves. We must do the best we can with what we have.

This quote is taken from an article appearing in the May issue of Reader's Digest written by that great American and great Republican, former President Eisenhower. In his usual down-to-earth and commonsense manner, President Eisenhower proposes an exciting and challenging program to provide significant and meaningful solutions to the problems plaguing our cities all over the country. I include the entire article at this point in the RECORD:

TO INSURE DOMESTIC TRANQUILLITY

(By Dwight D. Eisenhower)

(NOTE.—The bitter problems that plague our slums can be cured, says former President Eisenhower. Here he outlines his challenging program for root-and-branch reform.)

I have long believed that we Americans, with our energy, our inventiveness and our resources, can solve any national problem—if only we commit ourselves to the cause with a deep determination. With heart! Surely this total commitment must be present in any plan to cope with the most critical domestic situation which has beset our country in this century: the problem of our shameful city slums and the racial unrest which they spawn, the savage riots which have wrecked whole sections of our cities and disgraced our nation in the eyes of the world.

I am convinced that domestic tranquillity can be restored; but the time for complete mobilization of effort and resources is now. We must have a universal rally of the people at the local level in response to local programs of a practical and concrete nature. The need is to start intelligently from the bottom, not profligately from the top.

Before we get down to specifics let's take a brief look at the background.

One of the principal aims of our Constitution was to "insure domestic Tranquillity"; indeed, in sequence of objectives, the authors placed it ahead of "common defence." The wise men who founded this nation well knew that human freedom can exist only in an orderly society. They understood that anger over justice denied, or envy and hatred begotten of ignorance and prejudice, would, as always before, create trouble; that there would always be false leaders ready to inflame men to acts of purposeless violence. Consequently, they strove mightily to create a structure of government where all would have equal justice under the law; where the causes of internal conflict would be minimized; where, also, any wholesale defiance

of the law would be dealt with swiftly and sternly. Riots did flare up in our early years; but each outburst was promptly quelled by firm enforcement of the law. Certainly, riots were never allowed to become a way of life—until recently.

Mob action, of course, does great harm to the rioters themselves, and to any cause they espouse. As one of our ablest Negro leaders, Sen. Edward Brooke of Massachusetts, has said: "Riots and violence are the mortal enemies, not the servants, of the civil-rights movement." Yet today rioting, with its useless bloodshed and destruction of property, seems to have become a tolerated instrument of protest. Millions of our ghetto citizens seem to believe that in no other way can their plight be brought to public attention. This spirit of explosive rebelliousness has brought us to the crisis in which we now find ourselves.

HELP REQUIRES SELF-HELP

The task ahead falls into two parts. First, the law must be enforced. Unless this is done, it will be impossible to enlist public support for the second half of the job: to seek out the conditions which breed disillusionment and despair, and apply strong, imaginative remedial measures.

And here I must emphasize one vital factor: *Help for the underprivileged, whether it be private, federal, state or municipal, must be matched by their own efforts as self-help.* The entire wealth of the U.S. Treasury poured into the ghettos would accomplish nothing if the people who live there won't strive to improve themselves and their surroundings.

It is my earnest belief, however, that few human beings are devoid of pride and initiative. These qualities may be buried under apathy or covered by the facade of rebellion, but they can be brought to life by inspired leadership armed with the tools of education and opportunity.

Unfortunately, too many Negro leaders devote their entire effort to fomenting racial animosity and lawless turmoil. On the other hand, there are a number of wise Negro men and women who do everything they can to lead their people into programs of self-improvement.

In Philadelphia, for example, the Rev. Leon Sullivan established in 1964 a private agency called Opportunities Industrialization Center. With the enthusiastic support of several hundred business firms, his Center has trained more than 4500 disadvantaged young men and women and helped them find responsible jobs. He understands that most people in the ghettos want jobs and the self-respect that decent employment instills. His OIC idea has now spread to 65 other cities.

In Indianapolis, Mrs. Mattie Coney, who taught in slum-area schools for 30 years, is doing an equally constructive job. Convinced that one of the worst enemies of the Negro people is the filth of the slums and the debasement it brings, she founded a group called the Citizens Forum, Inc. Working toward cleanliness and self-improvement through hundreds of "block clubs," the Forum has cleared an enormous tonnage of refuse from homes and streets. Today Indianapolis is one of the cleanest cities in the nation.

Mrs. Coney speaks bluntly to the people she is trying to help: "I realize that we Negroes have been treated unfairly for many long years. But more opportunities are now being opened to us, and the way is becoming brighter. We should quit spending so much time feeling sorry for ourselves. We must do the best we can with what we have."

AN EFFECTIVE POLICE RESERVE

This country needs hundreds of Leon Sullivans and Mattie Coneys. And I believe that in every city there are such potential Negro leaders. With determined and intelligent help from the outside, they can help lift millions of citizens of every race to a better way of life.

This same principle of finding leadership within the slum community can also be used in law enforcement. To stop the riots, we obviously must have more and better-paid police, trained in the handling of mobs, placed in sufficient numbers in the areas where violence is most likely. For this professional police work, we should insofar as possible train young men from the same ethnic groups that inhabit the precincts where they will be stationed. They have a better understanding of the problems of the people, and can gain their confidence and respect more easily. This will cost money; but if we don't do it, the cost will be even greater.

Considering the present angry state of mind of many people in the ghettos, we need more than a beefed-up corps of professional police, however. I propose that from among the many law-abiding, hard-working individuals of our depressed areas an effective police-reserve system be formed.

Suppose, for example, that for each active-duty policeman we create a cadre of ten civilians trained for the prevention and quelling of riots. Training could be handled during evenings and weekends, with the reservists being paid a reasonable stipend. Helmets, billy clubs and other weapons would be kept in secure depots. (Mobs, however unruly, can normally be controlled by relatively few trained and disciplined men armed with non-lethal weapons.) Wisely chosen, these reservists could become powerful leaders for law and order—and, by example, for self-improvement throughout the ghetto.

THREE-FRONT ATTACK

But all our efforts to bring peace to the ghettos, no matter how wise and practical, will fail unless we give people real hope that steps are being taken to correct the inhuman conditions in which they now live. *They must know the goals and see with their own eyes that things are being done.* And I would hope that our free press and the broadcasting industry would give the same attention to progress, to genuine accomplishment, as they now do to slum violence. It should be front-page news—continuously!

The program for betterment must proceed simultaneously on three equally urgent fronts; decent housing; sound education and practical training for both children and adults; and gainful employment for all. To achieve these objectives, we must have the determined participation of all segments of our society: government at all levels; business and industry, which have a vital stake in making our cities habitable and law-abiding; labor unions; schools; churches; civic organizations—plus the volunteer services of countless private citizens.

Since the federal government has preempted our most fruitful sources of public revenue, we shall have to look to Washington for some of the necessary money. But the impetus, the planning and the doing must be at the community level. Surely, by this time, we have had enough of uniform plans blueprinted in Washington and administered by the impersonal hand of a bureaucratic hierarchy.

ROOM TO BREATHE

The problem of decent housing is monumental. People from rural areas have poured into the cities in such fantastic numbers that the density of population and the attendant squalor are almost inconceivable. We shall never solve this problem simply by tearing out vast areas of substandard dwellings and stacking people vertically in new high-rise apartment complexes. We have tried this before, and such new housing swiftly and inevitably degenerates into just another slum.

To begin the physical rehabilitation of our slums, we must provide room to breathe in the inner cities. Thus, the first essential of any realistic housing plan is to reduce the density of population by encouraging large

numbers of people to relocate in new, more wholesome communities. These new towns would have their own schools, shops, clinics and hospitals, their own light industry and recreational facilities. For those who do not find employment locally, swift mass transportation should be created to take them to jobs in the cities. Needless to say, these new areas must not become just added enclaves of segregation. They must be open, and made inviting, to decent people of all races.

To those who say this is an impossible task, I must point out that in the early 1940's we achieved far more "impossible" goals—for the purposes of war. And within the past 20 years we have seen hundreds of new towns and developments spring up and thrive adjacent to new industrial complexes. It can be done again, perhaps by using the space now occupied by abandoned, conveniently located Army camps and airfields or other neglected open areas. Moreover, the cost of such projects could be partially self-liquidating as the new residents found jobs and got on their feet.

I can think of no other way to relieve the intolerable congestion of the slums. And I know of no better way to restore vanished hope and pride in the hearts of hundreds of thousands of despairing people.

LEARNING AND LABORING

The problems of education and employment go hand in hand. Tens of thousands of essential jobs go begging because qualified people cannot be found to fill them. The service industries—restaurants and hotels, laundries, gardening businesses, household-repair establishments, to name but a few—are chronically undermanned. How often, for example, have you waited for days on end for the plumber or the man to fix an ailing washing machine?

Many of these jobs are in the semi-skilled category and do not require long years of preparation; with proper training, most slum people now living an aimless existence could handle them. And once their pride has been aroused and the way to decent employment has been opened, I am confident that most of them would grasp the opportunity. If at first a man is qualified only for a lowly job, he must be encouraged to spend his spare time in training for something better. Nobody wants to wash dishes in a restaurant all his life, and it must be made clear to all that such jobs are but a step up the ladder.

Although I am by no means qualified to offer a detailed blueprint for the educational and training needs of our underprivileged people, I will mention at random a few things that occur to me. In the first place, I think our educational hierarchy must be willing to abandon some of its fixed ideas and embrace new thoughts and plans to meet the emergency. For example, we need understanding people, people who love children, to teach the youngsters of our slums, many of whom have trouble communicating even the simplest of ideas. In finding such teachers, why must we stick to our present rigid certification rules? A woman with a great heart and practical knowledge, but who has only a high-school education, may well do this job better than an impatient person with an M.A. degree.

And, in our job-training programs, why not recruit retired men of the crafts—carpenters, plumbers, machinists, military men with technical skills—as teachers?

Our public-education system, no matter how imaginative it may become, will need the help of still other groups. Our labor unions, which can thrive only in a prosperous and peaceful America, should be persuaded to extend a practical apprenticeship program to the slums. Business and industry have shown great skill in setting up training programs for their own employees; what a miracle they could achieve by conducting similar, but more

massive, programs for our disadvantaged millions.

New jobs must also be created—real jobs, not make-work stopgaps. Industry must mobilize just as completely as it did in World War II. *Here is an almost limitless opportunity for our superb free-enterprise system.* American business has certainly not exhausted its ingenuity to create useful employment, and once it fully recognizes its obligation to society, it can perform a great service for the nation and, incidentally, for itself. It can succeed where government agencies too often have failed.

BOTTOM TO TOP

To achieve these goals, it seems clear to me that we must set up dynamic citizens' organizations. A call should go out from the highest office in the land to governors and mayors of major cities, asking them to create in each city an overall citizens-operations committee. The mayor should be a working member of the committee, but the chairman should be a private citizen of proved ability and determination. This top committee would, in turn, mobilize all of the city's constructive elements and agencies, both municipal and private. Leaders from the depressed areas would, of course, be included.

As I visualize the program, these civilian organizations would go as far as they could with local resources, organizations and business. Doubtless considerable financing for new housing, including the new towns I suggested earlier, could be obtained from the insurance industry and other large lending agencies, if the risks were largely insured by government. But, in the more expensive phases of the program, it would be necessary to requisition substantial funds, through the states, from the federal government. Appropriations already exist for some of these purposes, but their expenditure is now rigidly administered from Washington. A broad act of Congress would be needed to implement the bottom-to-top plan that I think we must have.

These things cannot be done in a year or two; a more realistic timetable would be a dozen years. But we know what needs doing, and we must get on with it—a coordinated effort simultaneously on all fronts. The failures of past years can be erased, if we declare a brand-new approach—and then tackle the task with proper organization and unshakable citizen morale. With heart!

HON. JOSEPH W. MARTIN

HON. ALEXANDER PIRNIE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1968

Mr. PIRNIE. Mr. Speaker, the death of our former colleague, Joseph W. Martin, Jr., of Massachusetts, brought to an end a long and distinguished career of service to the Nation. We recall his rugged, New England character which made him a capable legislator and a respected leader for over 40 years. Honored by his party as floor leader, convention chairman, and as Speaker of the House, he lived through some of the most stirring days of the Republic and played an active role in its big moments.

My first personal contact with Joe occurred in the thirties when the Republican Party was seeking to pick itself up off the floor after the debacle of 1932. I recall his sage counsel and quiet determination. He was a real warhorse in

those days and did much to encourage and strengthen Republican efforts. This attitude continued into his later years and he nearly achieved his wish of dying in the harness. Failing health brought its limitations and we were saddened by the change. But we are happy to remember those days of enthusiastic and dedicated service to the party and to the Nation. Joe Martin left an imprint that will remain for many a year. We, in this body, remember him with affection and respect.

ADMINISTRATION SPOKESMEN LACK KNOWLEDGE

HON. DAN KUYKENDALL

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES
Monday, May 13, 1968

Mr. KUYKENDALL. Mr. Speaker, it is regrettable that so many of the administration spokesmen are entirely without knowledge of the facts when they attempt to pressure Congress into action on much of the legislation which comes before us. To illustrate the administration use of propaganda rather than truth, I include the following letter which I received from Betty Furness, Special Assistant to the President, and my reply to her:

THE WHITE HOUSE,
Washington, D.C., May 9, 1968.

DEAR CONGRESSMAN: Knowing of your busy schedule and the difficulty of quickly reaching you by phone, I write to apprise you of my serious concern over the watered-down version of S. 1166—the Natural Gas Pipeline Safety bill which is expected to come before the House for a vote within the next two weeks.

A bill weaker than the Administration proposed was passed by the Senate, and has now been even further weakened to the point of a "no-bill". We are advised Congressmen John Dingell, John Moss, Brock Adams, and Richard Ottinger and others will engage in a floor fight in the House for a strong bill which equals or parallels the original Administration bill S. 1166.

We feel this is one of the most significant consumer bills before the Congress this session. Needed to fully protect consumers is a bill which places all existing pipeline facilities and all gathering lines under regulation by the Department of Transportation; clearly specifies Federal jurisdiction; includes criminal penalties; strengthens civil penalties to equal civil penalties required in the National Traffic and Motor Vehicle Safety Act; and which will restore adequate funding provisions to ensure effective administration of the Act.

We are increasingly dismayed that in some instances, bills enacted ostensibly to provide consumer protection, or bills now before the Congress which have been substantially amended to weaken the original wording, become consumer protection measures in "name-only." Such weakening deludes the consumer about the actual degree of protection afforded him, while the loopholes in the laws allow industrial operations to remain relatively unchanged despite anguished cries to the contrary.

If the watered-down version of S. 1166 passes, we will have a "name only" bill. Hence, I urge you on behalf of consumers, to vote for a bill stronger than the one voted out by the House Interstate and Foreign Commerce Committee. The decision should not be what legislation can the industry live

with, but what is necessary to protect American families from hidden hazards.

Entrusted with the protection of the public health, we in the Government have responsibility to protect the public in such matters where the individual on his own cannot recognize or act to eliminate the danger to himself and his family except through the protection a strong Federal law will give him. The consumer depends entirely in this matter upon your conscience. We must take the position that when the health and safety of the American public are at stake no compromises can be considered. Surely you share this position.

Sincerely,

BETTY FURNESS,
Special Assistant to the President for
Consumer Affairs.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., May 13, 1968.

MISS BETTY FURNESS,
Special Assistant to the President on Consumer Affairs, the White House, Washington, D.C.

DEAR MISS FURNESS: In response to your mimeographed form letter of May 9 concerning gas-pipeline legislation, I can assure you that it would have been very simple for a person of your high office to reach me by telephone. In fact, I might suggest that this would have been most appropriate since I am a member of the Interstate and Foreign Commerce Committee which is handling this legislation. However, I might observe that possibly you do not care to talk to anyone who is knowledgeable in this field.

When you assumed office as a Special Assistant to the President it was difficult for me to visualize how one who has spent most of her adult life in the entertainment field could suddenly become an expert in the problems of the housewives. Now the credibility gap has widened into a vast chasm when you present yourself as knowledgeable in the highly technical field of gas pipelines.

If you had familiarized yourself at all with this legislation you would have realized that the only pipe-lines in the Nation which would be exempt from regulations would be "gathering lines" in non-populated areas and that the Secretary can specify any area that he so wishes as "populated." If you wish to contact me in person to discuss this legislation my phone number is 225-3265, and I can assure you I am available.

Sincerely,

DAN KUYKENDALL,
Member of Congress.

AMERICAN PATRIOTISM

HON. TOM STEED

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES
Monday, May 13, 1968

Mr. STEED. Mr. Speaker, the editor of the Lawton, Okla., Constitution makes some editorial comment regarding a recent statement by Vice President HUBERT HUMPHREY that I find so much in line with my own thinking that I want to share it with my colleagues. It seems to me the time has come when all of us can help by taking our stand once again with these basic convictions.

The editorial follows:

AMERICAN PATRIOTISM

"The time has come to speak thoughts deeply felt but not often said by millions of Americans. The time has come to speak out on behalf of America—not a nation that has lost its way, but a restless people, a great nation striving to find a better way.

"The time has come to put aside selfish ambition and pettiness, to forget old fears and animosities, and to bring forth from our midst tolerance, understanding and mutual trust.

"The time has come to recognize that this nation has more strength than weakness, more hope than despair, more faith than doubt, and that we have more chance than any nation in previous history to master the problems we face.

"The time has come for those who share a deep and abiding belief in the purpose and potentialities of this nation to say, 'I love my country.'

"Yes, the time has come to express in our way and our time a new American patriotism, not a patriotism expressed alone in flags and parades but in willingness to get down to the hard, tiring, endless work that every generation before us has paid out to keep alive the vision of what America can do.

"And the time has come, in short, to reaffirm once more that we can do whatever we must do to carry forth the unfinished peaceful American revolution."

If Hubert Horatio Humphrey accomplished nothing more in his bid for the Democratic nomination for President, than the announcement of this, his credo of new patriotism for America, he will have served his country superbly well. He has restored the national politics of his party to the level that millions of Americans felt but did not or could not express for themselves.

Humphrey has launched on "the politics of happiness, the politics of purpose and the politics of joy," as he described his campaign, to wrest the nomination. He will have the good wishes of those Democrats and others who have yearned for a voice of patriotism in the midst of self-seeking, of purpose and of dedication, among men of his party who seek the presidency.

NO CONFIDENCE IN PATRICK MURPHY

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES
Monday, May 13, 1968

Mr. RARICK. Mr. Speaker, the citizens of our Nation's Capital continue to express "no confidence" in Patrick V. Murphy, watchdog to prevent effective law enforcement in the District.

The rioters and looters are silent so we can assume that they are satisfied with his "open city on crime" policy.

Do the people of Washington have to prove to the leadership there is more to fear from the law-abiding citizenry than from the criminal element before Murphy is promoted to a civil riots post.

I include the advertisement from the Sunday Star for May 12 and a news clipping from the May 13, Evening Star, as follows:

[From the Washington (D.C.) Sunday Star, May 12, 1968]

METROPOLITAN WASHINGTON FEDERATION OF
BUSINESS ASSOCIATIONS, INC.: OPEN LETTER
TO THE PRESIDENT

THE PRESIDENT,
The White House,
Washington, D.C.

MY DEAR MR. PRESIDENT: By unanimous consent of the delegates and officers of the Metropolitan Washington Federation of Business Associations, Inc., at an emergency meeting called on April 29, 1968, to consider ways and means of dealing with the ruinous consequences of the April 4th and 5th criminal

breakdown of law and order, I have been directed to respectfully communicate to you the following:

Considering the atmosphere of tension that still prevails throughout our area, we feel we must speak out. Many of our members suffered great financial losses because their businesses were damaged or destroyed. Workers lost their jobs, people were displaced from their homes, and the city has lost a vast amount of tourist and tax revenue.

Mr. President, we ask especially that you make known promptly that the forces at your command will be employed, not after the disorder has set in, but more importantly even in anticipation of it: lawbreakers will be dealt with, even on the spot, if need be, not in bleeding heart fashion but according to the Law of the Land that governs us all, not just the lawabiding citizen. We feel, Mr. President, that assurance from you that forces in strength will be promptly em-

ployed to meet any contingency will serve as a warning, even deterrent, to any who would plunge this Nation into a repetition of the tragic days of early April.

Respectfully yours,
METROPOLITAN WASHINGTON FEDERATION OF BUSINESS ASSOCIATIONS, INC.

[From the Evening Star, May 13, 1968]

END MURPHY'S JOB, CITIZEN GROUP URGES

The District Federation of Citizens Associations has called for the District government to abolish the office of public safety director.

John R. Immer, president of the federation, said that about 60 delegates attending a regular meeting adopted a resolution charging that the office should be abolished because "there is a complete loss of confidence in Safety Director Patrick V. Murphy to maintain law and order in the District."

RESULTS OF REPRESENTATIVE CHARLOTTE T. REID'S 1968 PUBLIC OPINION POLL

[In percent]

	Yes	No	No answer
1. Do you feel you have a clear understanding of our objectives in Vietnam?	38.6	59.2	2.2
2. Of the major alternatives discussed which policy do you favor in Vietnam today?			8.2
(a) Continue on the same course the Johnson administration has been following	6.6		
(b) Increase our military effort to achieve victory	61.4		
(c) Halt bombing without prior guarantees that North Vietnam will stop infiltration of troops and supplies into South Vietnam and negotiate	12.6		
(d) Withdraw our forces from South Vietnam	18.8		
3. Do you feel our foreign aid program as now constituted should be continued?	8.6	86.3	5.1
4. Do you agree with the recommendations of the President's National Advisory Commission on Civil Disorders for prevention and control of riots?	27.1	56.9	16.0
5. Do you believe that urban problems can best be solved by—			
(a) Encouraging greater participation by private enterprise in providing jobs, housing, etc?	90.2	5.5	4.3
(b) Increasing State and Federal expenditures for public housing, jobs, welfare aid, etc?	10.8	57.8	31.4
6. In dealing with crime and civil disorders do you feel that—			
(a) Police and courts have been strict enough?	8.0	81.2	10.8
(b) Recent Supreme Court decisions have hindered local law-enforcement agencies?	85.5	9.2	5.3
7. Do you feel that the Constitution should be amended to provide—			
(a) Authority for Congress to override Supreme Court decisions by a 2/3 majority vote?	64.2	24.7	11.1
(b) Limited terms for Supreme Court Justices in lieu of present life tenure?	76.5	14.3	9.2
8. Do you feel our internal security laws need strengthening in regard to employment of individuals who are members of Communist organizations in Government, defense plants, and schools?	85.3	10.6	4.1
9. In the field of agriculture, do you favor—			
(a) New legislation to give farmers greater bargaining power in order to improve farm prices?	64.3	17.9	17.8
(b) The President's proposal to make programs established under the 1965 Farm Act permanent?	5.4	51.8	42.8
10. In view of our serious fiscal problems, Congress should—			
(a) Insist on meaningful reductions in all Federal spending for unessential nondefense programs	82.8	5.0	12.2
(b) Approve the President's proposal for a new 10-percent surtax on personal and corporate incomes	18.3	53.2	28.5
(c) Both increase taxes and cut back on spending	38.0	31.2	30.8

Note: The total for the second question is more than 100 percent since some respondents selected more than 1 choice.

THE BUSINESS OF THE NATION GOES ON

HON. JACK BROOKS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1968

Mr. BROOKS. Mr. Speaker, the attention of the world has been focused on Paris this past week, where representatives of the United States and North Vietnam have begun initial contacts concerning the question of peace in Vietnam. And yet, while we wait and watch, the business of America must be carried forward. It is clear that President Johnson is fully occupied with the affairs of his office. To cite just one indication of the wide range of matters that involve the President, in the first few days of last week he was called upon six times to make public statements on a variety of subjects. I should like to quote briefly from his remarks.

At a reception for White House Fellows, he said:

Again and again in the American experience, it is the pessimists who have proven to be the false prophets. It is the optimists whose courage and faith have carried us on.

At a reception for Senator HAYDEN, he said:

America is stronger for what you have done in these 56 years, and it is going to be poorer when you have left these halls.

On the occasion of signing a bill amending the Veterans' Administration housing law, he said:

Thanks to this particular act, the veteran who has come home from Vietnam, the young wage earner who is on the way up in life, or the family that is seeking escape from the ghetto will find it easier to buy a home.

At the presentation of awards to blind college students:

It is true that none of us would envy your handicap, but all of us would do well to envy your character.

Welcoming the President and Prime Minister of Thailand, he said:

We believe that human freedom thrives best when men have the right to determine their own political destiny.

At the presentation of the Young American Medals, the President said:

I am doubly pleased because these awards pay tribute to the idealism and the commitment of our American youth.

These brief quotes obviously reflect a vigorous, dedicated man, providing lead-

ership to this Nation in a time of severe challenge. I insert the full texts of his remarks in the RECORD:

REMARKS OF THE PRESIDENT AT A RECEPTION HONORING HON. CARL HAYDEN, A U.S. SENATOR FROM THE STATE OF ARIZONA. NEW SENATE OFFICE BUILDING, MAY 6, 1968

Senator Hayden and Members of the Senate and their staffs, I came here with mixed emotions this afternoon. On the one hand I am tempted to take Carl Hayden at his word, and believe the unbelievable, that this Congress is finally to lose the strength and the wisdom, and the inspiration, of Carl Hayden's leadership.

But then I remember what strange times we are living in. It is very hard to believe any announcement of political intentions these days.

One day the politicians who have declared out are back in. The next day the politicians who have declared in have backed out.

It may well be that Carl Hayden has rendered another great service to the Nation by his announcement today, and I came here to help him.

Looking at us two non-candidates, both models of long-term credibility, no American in his right mind could any longer doubt the veracity of any politician.

Carl Hayden and I both are on the brink of new careers. We are looking back to our old professions. I know there is still a need for teachers, and I am going back to where

I began. But I wonder if Carl has recently caused the market for frontier sheriffs.

We are both young men, both Democrats, both from the Southwest, both have served many years in Congress, and I believe that he is the only man who is now in the United States Senate who was in the United States Senate when I came to Washington.

Now it seems we both have reached retirement age together. In fact, I understand the same man who was after my job last election, Carl, is now after your job.

Some men have had long and very distinguished careers here in the Senate because of their oratory, some by becoming the champions of some particular cause, some by the glamour of their personalities, some by their ability to work harder, longer and better.

Carl Hayden is not famous as an orator. His glamour is the old fashioned kind that we associate with a handsome sheriff from the Arizona Territory. But the people of Arizona sent him here, and they sent him back again, again and again, simply because he worked harder for their interests, more intelligently for their interests, for the benefit of all the people, than anyone else they could ever find in 56 years who lived in the State of Arizona.

He has told generations of freshmen here in the Senate, and I was one of them, that when he first came here he asked a man how to get re-elected, and he said, "Well, you know, Carl, there are two kinds of horses, show horses and work horses."

Without disparaging the show horses a bit this afternoon, he made the case by his example of being a work horse.

His work was the arduous kind that is done in the committee rooms. It was long; it was painstaking; it was nighttime sessions. It was poring over testimony and figures of a thousand appropriation bills involving billions of dollars, trying to bridge the gap between public needs and public resources, always trying to serve his main client: the people, the people of the United States—serve them with integrity, with imagination, and always with great care.

Whatever his intentions, he became a kind of show horse as well as a work horse. He became the Senator whom his colleagues would always point out to their constituents and say, "There is the Senator's Senator. There is Mr. Integrity from the State of Arizona."

I might say that all that non-political hard work turned out to be the best politics that anyone around here ever saw. If I am not mistaken, there never was a glamorous public figure, there never has been a silver-tongued orator in the Senate, who served as long as 56 years in the Congress of the United States.

His monuments are everywhere in the State of Arizona. But he was never a one-State Senator. He was the third Senator in every State.

His understanding, his generosity of spirit, knew no boundaries, and no man will ever leave this Hill—and I say this as sure of anything as I am sure my name is Lyndon Johnson—no man will ever leave service on this Hill with more friends than Carl Hayden has.

No man will ever leave here with a prouder record of accomplishment.

The name Carl Hayden will stand for serving the public interest as long as there is a Congress.

My friend, it is an understatement to say that we shall miss you.

America is stronger for what you have done in these 56 years, and it is going to be poorer when you have left these halls.

I came here from the other end of the Avenue today to speak on behalf of all the people, to tell you that you fought a good fight.

You haven't finish the course, but you have kept the faith. Everybody that knows you respects you and—I am speaking for the ladies, too—loves you.

REMARKS OF THE PRESIDENT AND MRS. JOHNSON AT A RECEPTION FOR WHITE HOUSE FELLOWS, STATE DINING ROOM, MAY 6, 1968

The PRESIDENT: I perhaps should have waited until you at least had time to participate in the refreshments, but I know it will be refreshing when I have gone.

Since I must go to the Senate, I think I will just start now and interrupt your meeting.

First, I want to welcome the members of the Cabinet and the President's Commission on White House Fellows, the new Fellows and the old Fellows, and all my friends.

I am happy to have this second chance to meet with the White House Fellows and their ladies. You were kind enough to invite me to come last Saturday. I was sorry I could not be there.

My own disappointment was considerable. Your invitation was most attractive to a man in my position—a short timer in Washington. It could have been my last chance to make the scene at Dupont Circle on a Saturday night.

I had another very personal reason for wanting to join you. As a man considering a new career, I think it is wise to keep up my contacts, especially with important people.

At least I think you are important people. You have been hand-picked for very high honors, and I think for very high office. You are very privileged young people.

You found room at the top for three years. Today another year begins for you.

Nineteen new White House Fellows are here as the fourth class of important and privileged young Americans.

So I am very proud and happy that I could join with Mrs. Johnson to ask you to come here, to congratulate you and to welcome you to Washington.

There are 68 of you now. That is one for each year of this Century.

I would like to think that there is some special significance to that coincidence.

I want to believe that you are the men and women who will complete the great unfinished agenda of America for this Century, so that we may launch the third Century of our continuing American adventure with even higher goals and I hope with an even greater purpose.

The next Century is crowding in on us in this room right now.

It is pressing us with a rush of change—the new challenges that are flung by science and technology; by population increases; by 40 percent of the people in the world who can't spell "dog"; 40 percent of the people in the world who can't write "cat"; by unexplored oceans and untamed weather; by poverty and injustice in our own land; by giant cities that need rebuilding; by our schools, our farms, our hospitals and our corporations that need to change to keep up with that challenge; by all the unexpected and the unknown, including the greatest of all—how to understand people and how to learn to live together in this world without war.

So that is your agenda, and that is your life. It will be your job and your privilege to work on that agenda while you are here in Washington.

I hope all of you take it as your job—your particular responsibility to repay that privilege when you leave Washington by continuing to work as private citizens on your public agenda, working in your law firms, in your executive suites, on your campuses, on your city governments, and in your own towns.

I am going to try, as one of my last orders, to see that you do that.

I am going to ask a committee of the 68 White House Fellows, who I will take great care in selecting, to work with me and some of the Members of my Cabinet, with some of those who have worked in my Administration, in the Kennedy Administration, in the Truman Administration, and the Roosevelt Administration, to make a study of the

Presidency, to see how we can improve it, how we can strengthen it.

It won't be exactly another Hoover Commission on the entire Government, but it will be on the Presidency, itself, which is a rather important office.

In the years to come we need to improve it, strengthen it, and do whatever we can to make it stronger.

In addition to that, I am going to amend the Executive Order that created the selection committee, of which the most distinguished and honored Mr. Douglas Dillon is Chairman, to provide for an increase in membership.

In President Roosevelt's day that would have been known as packing the court.

I hope I can make that change without being charged with any ulterior motives.

I would like for some of you 68 Fellows who have come, who have seen, who have not forgotten, to sit around with some of these old timers who really constitute this generation gap.

I would like for you to sit with them—the Johnny Oakes of the New York Times; the John Macy's, of the Civil Service Commission; Judge Hastie.

I would like for you to talk with them as members of the board, as their equals on the board, and fellow members. Then I would like for you to go throughout the country and work with these panels so that the next group selected can even be an improvement on the group that you make up.

I look upon you as the future. You can make it or you can break it by committing yourself, or by coping out: by going home after one year at the top, or by sliding back into the comfortable routine of a cynical life, by being too busy, too timid, too awed to apply what you have learned here by staying involved, or by remaining committed.

I think you are going to learn a great deal in this town.

But it is a part of your privilege that you will come to know a basic truth. That truth is how much government can do and how much government cannot do.

If you grasp this, if you keep your eyes open and your wits sharp, you will learn the magnificent promise and the exciting truth of your own lives.

You will learn how much, very much, you can do for your own future, and particularly for the future of your country; how very much we need you, your commitment and your involvement.

And we need it now, because the future is now.

In the last century, a great English statesman looked ahead and declared, "You cannot fight against the future. Time is on our side."

Well, was Gladstone really right? Some people wonder.

Is time really on our side today, or is our century already so different, and are we already so beset and so divided by all of our problems that even time is working against us?

There are some, I think, who might answer yes, by their criticism or their cynicism.

There are others who agree by their obstruction or their silence.

There are few who surrender reason to passion and hope to frustration, who fear that they have no place in the future; or that the future, itself, is overwhelmed by the vast complexity and variety of modern life.

I understand that some of you in the White House Fellows Association have been asking yourself some of these questions.

You want to know if time is on our side, if you really have a relevant role to play; if, in fact, our problems might not have made your Association and your purposes obsolete even before you get organized and get going.

Well, I am pleased that you are concerned. That is the first evidence that we are making progress. That is the first step to commitment and, I think, to success.

I would like to try and take you just one

step further in the few moments I have with you by suggesting some answers and also by suggesting some actions for you as individuals, and to your association.

Let me first make clear my own commitment.

This Nation is not going to retreat before the future. This Administration has acted for four long years now to meet the challenges of the day and to set the stage for new triumphs of tomorrow.

We have believed that time is on our side, and we have tried to work every minute to make the most of our time at the top.

I promise you here and now this afternoon, that in the time left to us we will put every last ounce of energy and strength, every last second of the day, to strong, to timely, and, I pray, to wise and to enduring purpose.

That is my personal commitment. That is my responsibility as your President.

It is the only legacy that I am concerned to leave to my successor—a Nation that has grown in achievement, a people that are richer in fulfillment, an America that is united and strong in unfearing pursuit of the greater achievement and fulfillment that the future offers us.

Now let me ask you a question: What is your responsibility? What legacy do you want to leave to your children?

I hope that you will not tell them that you gave up on your world because you couldn't roll up your sleeves, as Rex Tugwell once said, and remake it overnight.

I hope you will be able to tell them, and I hope that you will be able to show them, that you found the road of life was hard; you observed that it was steep and slow, but that you made it to the mountain top. And as you went along, you took your country with you.

You are standing on one peak of life's experience right this minute.

You are young and you are privileged Americans. You are bright. Most of you are healthy, happy, and, I hope, well off.

How do you think you got that way? How did that happen?

Some of you had to fight for the privileged position that you have this afternoon.

But all through your years, all through the life of this Nation, other Americans were fighting to raise you up. They were fighting to try to protect you. They were fighting to try to better your life; to improve your system of government; to give you new advantages and better educational opportunities; to make you what you are, because they refused to retreat before the future that has now come true for you, for those of you who are very gifted and young, and, I think by being both, you are very fortunate.

One of the men who fought for you, and who was fighting for you when I was a young man and first came to this town, was a close and dear friend. His name was Henry Stimson. He was a wise man with a warm place in his heart for young people.

He left a legacy for the future: "Let them learn," he said, "from our adventures. Let them charge us with our failures. And let them do better in their turn. But let them not turn aside from what they have to do, nor think that criticism ever excuses or substitutes for inaction. Let them have hope and virtue and let them believe in mankind and its future, for there is good as well as evil. And the man who tries to work for the good, believing in its eventual victory, while he may suffer setback and sometimes even disaster, will never know defeat. The only deadly sin that I know—the only deadly sin that I know—is cynicism."

Isn't that the truth for your time, too? Isn't that the answer that you are looking for?

It is not very difficult to poor mouth. It is so comfortable and convenient sometimes to knock your own system.

It is hard to remember, sometimes, that this is really a great and a going concern,

that our Nation is the envy of the world, and that there are citizens all over the world who would just give anything to trade places for it.

We can remember that without ever being satisfied with what we have or what we are.

It is difficult to put things in perspective. It is difficult to remember the giant strides that have been brought to us, despite our many problems—to the miracles of life that we have taken so much for granted, despite our plagues and our persecutions, despite our wars, despite the many calamities that we have envisioned from time to time.

And I have endured and lived through a goodly number of them.

Man has persevered.

In the face of natural disasters, great tumults, setbacks and sins, generation after generation of Americans and our fellows on this planet have been blessed with fortune after fortune.

Through all the years, all the errors and all the dangers, reform and improvement have been the password to man's increasingly better and brighter future.

Man has been many things through all the centuries of his existence, but he has been wonderfully and mainly distinguished by one characteristic of his human nature: Man has always been, and I hope always will be, the great experimenter.

That is what you are. You are, after all, one of my first experiments.

The White House Fellows and the White House Fellows Association are really an experiment in democracy. You have succeeded beyond many of our original hopes.

I ask you now, as individuals and as an association, to commit yourself, to dedicate yourself, to organize yourself, for the greater successes that you can bring to this Nation.

You are relevant. No one can make your experiment irrelevant but yourselves.

No one can make democracy obsolete but the citizens of democracy who don't care.

Ever since we began our great experiment originally in democratic government, there have been those who wondered—sometimes in curiosity and a great many times in despair—whether this experiment would ever work.

A century ago there were many who thought we had reached a dead end. Abraham Lincoln had to remind those cynics and those skeptics that the American experiment for all its failings, was plainly still, the last best hope on earth.

Thirty-five years ago the doubters thought that we were up a blind alley. President Franklin D. Roosevelt had to rally a people. He had to prove the vitality of a system by urging our people not to be paralyzed by their doubts.

One of the most stirring speeches I have ever heard in this town was when he stood there on that bleak, windy March day and took the oath of office.

He said, "The only thing we have to fear is fear itself." And how true that is this moment. Just a few years ago, some of these people were saying that we had reached a deadlock of democracy, but we moved on, we moved away, and, I am proud to say, we moved up.

Again and again in the American experience, it is the pessimists who have proven to be the false prophets. It is the optimists whose courage and faith have carried us on.

That is your inheritance. That is why you are here in the White House this afternoon.

So it is your turn, now, to pick up and carry on. For every complaint about our society and about our progress, you and I can point to a new program. We can point to a new landmark act of the Congress. We can point to a new public or new private initiative; or a new partnership of business, of government, of church, of community, of university and corporation, of American with American.

That is your America.

It is a growing and going concern. It is not slack and it is not soft. But it is creative and it is challenging both to the muscle and to the mind.

It is a land of limitless opportunity and great promise for all young people. There is no more promise anywhere on this earth.

For every lament about the alienation of our young, you and I can point to millions of active, committed and involved young men and women who really deeply believe in the American experiment, who are willing to work for its improvement, who want to broaden and deepen its successes, so that every American—every single one of us—may know the full blessings of democracy.

It is a big job. It is a most difficult and hard job. But there are enough of you now in the fourth year of this program to roll up your sleeves and do something about it.

Your association is new, but you can begin small. Plant an acre, put down a seed. You live and you work for all of America. You can see yourselves as the Johnny Appleseeds of a new America.

When you leave Washington, you can be the ones to go out and plant the ideas and plow the furrows that point to the future; that can awaken and unite our Americans in a new community of splendor with high, noble purposes.

You are relevant. We do care about you. You are needed.

You are a national association, and I am convinced that you have a national role to play in helping to master the human problems that concern you and concern me.

Let me suggest something to you: You might want to organize by regional committees. Our new Alliance for Businessmen has done just that, to solve a great and urgent problem, under the leadership of Mr. Henry Ford of Ford Motor Company, and Mr. Paul Austin of Coca Cola. They are out, going down the streets and the highways, finding jobs for people who can't find jobs for themselves—the hard-core unemployed.

In just a few weeks now, the businessmen have demonstrated that they are winning that battle. In less than three months since they first met here in the White House they have secured pledges for 111,000 new jobs for hard-core unemployed and disadvantaged youth.

That is quite different from what it was when I came into this town, when they had the midget on Mr. Morgan's knee, and when the President was talking to businessmen in terms of economic royalists.

Some of you are business executives. Some of you have the power and the opportunity to work as partners with this National Alliance of Businessmen, to help those who can't help themselves.

You will find many other partners who are ready and eager to cooperate with your association on a great variety of social problems—churches, law firms, universities, unions, farmers, the people of America who are working harder than ever to try to solve the problems of America.

Your regional committees could divide this nation into four quarters. You could set a target list of problems and opportunities for each region.

The first target that I had when I came to this town as a young man was to participate with a group of brain trusters, of which I did not include myself. We wrote the Report on Economic Conditions in the South. It was in the early 1930's. That report spread all across the land and people started working on the recommendations.

We haven't completed all of them yet. One of the first ones to come out of it was the minimum wage of 25 cents an hour. Women were working in our section for 6 cents an hour.

I remember—well, I remember a lot of things about that report.

You could, I think, set a time limit for results. I think you could set that time limit with that target here today. It could be your next meeting a year from now.

Then you could come back here with a new score card. You could come back to the President and tell the President that you have worked with the National Alliance of Businessmen, that you have worked with Mr. Gardner in his Urban Coalition, that you have worked on the campuses and the city halls, in the churches, and you have many other partners.

You could come back here prepared to hold up your scorecard and say, "Mr. President, like the National Alliance of Businessmen, we have helped X number of unemployed find a job. We have helped X number of businessmen to involve themselves in the problems of the city. We have helped X number of Negroes, Puerto Ricans, Mexican-Americans, Mexican-Indians, or under privileged, get into the classroom for the first time. We have gone out ourselves into X number of slums and we have worked with X number of mayors and local officials to try to get rid of those slums. We have tried to build new homes instead of burn old ones. We have used our management and our talents to help X number of small businessmen improve their lot and get ahead. We have served as a bridge between X number of city halls and universities, between X numbers of universities and community leaders, between the campus and the street corner, between the executive suite and the ghetto store, and between the police station and the church, the factory, the supermarket, the farm, the tenement and the apartment house.

A year from now, I hope that a committee from your association will be able to come to this house, to this room, and say to your President, "Mr. President, it was a privilege to work 12 months for my country at the top."

A tour of duty in Viet Nam is just 13 months, as you know.

"We have tried to repay our country. We have remained committed and dedicated. We have done our best, singly and together, to bring all of our people closer in the work of building—building one united, one progressive—yes, one peaceful America."

You should not need any greater challenge than that. I hope you don't need any more encouragement than that.

But if you do, I am sure you will find that encouragement in association with your other White House Fellows. Some of them are so good that I have never let them leave the White House. Some of them are so good that I am taking them to Texas with me.

I am sure that if you need some more encouragement, you too, can find it in the leadership of the distinguished American who has agreed to serve as Mr. Dillon's replacement.

I want to pay a word of tribute to Mr. Dillon. I first knew him as a lieutenant in the Navy in this town. I don't know what he did before he put on that Navy uniform several decades ago, but I know what he has done since.

He has served every day, doing the greatest good for the greatest number of people, trying to better humanity. I think this final job he has done as Chairman of the White House Fellows is not one of the minor undertakings he has had, and it is not one of the smaller contributions of the many that he and his wife have made to his country.

I want to salute and thank Mr. Dillon for his understanding.

He is more fortunate than some of us in his health, his brains and his pocketbook, but he has been willing to spend them all on trying to make this a better nation.

The man who succeeds him I know will have a lot to shoot at, but he will do his best. He is the Chairman of the President's Commission.

I am proud and happy to announce that Judge William Hastie of the Third U.S. District Court of Appeals will carry on for our former and our very able chairman.

Mrs. Johnson and I, finally, are very pleased to congratulate all of you, and to wish you good fortune, and to tell you that it has been good fortune to know those who have come before. We hope we will have a chance to meet those of you as you come forward.

REMARKS OF THE PRESIDENT UPON SIGNING H.R. 10477, AMENDMENTS TO THE VETERANS' ADMINISTRATION HOUSING LAW, THE CABINET ROOM, MAY 7, 1968

Secretary Weaver, Members of Congress, Mr. Clark, Mr. Rogg, my friends the Home Builders:

I have not been too closely in touch with home-building recently, but I can tell you about a nice house where there is going to be a vacancy in January.

It is a good location. You have a four-year lease, with an option to renew at the pleasure of the landlord.

It is very close to where you work. We have a playroom for dogs, children and grandchildren—and, Helen, for Godmothers. Open occupancy, too.

I am particularly glad that you home-builders timed your meeting to come to Washington at this period. As you know, I am getting ready to move from my present residence, and I thought that some of you might want to give me some tips on how to remodel a Home on the Range for one of the unemployed, or maybe how to purchase a home on the Avenue for Presidents at Palm Springs.

I come here to sign a measure that I think is of vital importance to all the people who want to build or who want to buy homes.

It empowers our distinguished Secretary, Mr. Weaver, and the Administrator of Veterans Affairs, to adjust interest rates on FHA and GI home loans to changing market conditions for the next 17 months. Those market conditions are changing and they are going to change more, if we don't get a tax bill soon.

Thanks to this particular act, the veteran who has come home from Vietnam, the young wage earner who is on the way up in life, or the family that is seeking escape from the ghetto will find it easier to buy a home.

I think you homebuilders should know that I am very proud of America's home loan programs. They have helped to fulfill the dream of home ownership for 16 million American families, but unrealistic and arbitrary interest ceilings can cripple these programs.

The bill we will sign today which Congressman Dorn and Senator Randolph, and others, have helped to pass and brought here, will prevent that.

This bill, important as it is, though, cannot guarantee the prosperity of the home-building industry because homebuilding, like every other industry, flourishes best in a well-balanced and an expanding economy.

The past seven years of unprecedented prosperity have shown what a free economy can do. We have created 10 million new jobs. We have added nearly \$250 billion to our real output per year.

This increase alone is more than the United States was able to produce in any year up to 1939.

That is very significant, and I hope all of us understand it. We are not saying you never had it so good. We are just saying that the increase in the Gross National Product has been more than the entire Gross National Product in the year 1939.

So that is one of the things that your industry has contributed toward and the economics of this country have contributed toward. It is something we really don't want to lose.

We had a situation like that in 1929, and we did lose it very shortly. We can lose it here if we are not careful.

The real income of the average American has risen 31 percent. That is a bigger gain than in the previous 19 years combined.

For the past five years of our period of prosperity, homebuilding was one of the leaders in the advance. It contributed to our prosperity and it also benefitted from our prosperity. We were building at least a million-and-a-half homes a year, and we showed that the housing industry need not suffer the sharp ups and downs.

But in 1966 the performance took a sharp turn for the worse. Homebuilding sagged to the lowest level in 20 years.

Thousands of builders were deprived of their livelihood and their profits were wiped out. Hundreds of thousands of Americans lost their opportunity to buy or to build better homes.

The need for homes has always been there and the income was there. But the mortgage credit, which is the life blood of home building, was nowhere to be found. We just couldn't get credit to build the homes that we needed and that we had the income to pay for.

We could have avoided this if we could have passed a tax increase. I knew it and the homebuilders knew it.

I called together the leadership of the Congress and they told me we couldn't get four votes in the entire committee of 25 for the tax bill.

I called together the business group of this country, some 300 businessmen. There wasn't a one of them who would raise his hand for a tax increase.

I called together the labor people and they did not favor a tax increase.

In 1967, though, we went ahead and urged the Congress publicly to pass it.

In August 1967 we repeated the recommendation.

In January 1968 and again in March of 1968 we have done the same thing.

The sad lesson of history is that it has this meaning: It is time to show that America has learned its lesson.

While we have let this tax bill languish, we have seen mortgage interest rates go from 5.5 percent to 7 percent and even 8 percent. Three years ago, no one would have believed that an 8 percent mortgage rate was possible in the United States. But today interest rates are nearing the highest point in 50 years and I think this is something that should disturb every American. If we do not act now, an even worse shock is in store for you. I want to warn you about it.

If we do not act, 10 percent mortgage rates are not outside the realm of possibility, according to the best economists who can see into the future. Tight money is the price that we pay for excess deficits and our refusal to act on a tax bill in wartime. We have never had a war during which we wouldn't pass a tax bill. But now, for three years, we have said first we didn't need it; second, that we couldn't afford it; third, it would hurt the economy; and fourth, we ought to take care of spending first. One excuse after the other.

Only responsible fiscal policy can check inflation and prevent another disastrous credit crunch. Yesterday's long-awaited action by the House Ways and Means Committee gives us some hope that we can soon have a realistic tax bill.

I congratulate the Congress and the committee on that action. I asked the Leadership this morning to please ask each conferee to stand up and do what is best for his country.

If we must cut \$4 billion in expenditures to get \$10 billion in taxes, we will do it. But if you cut more than \$4 billion, you involve great dangers. If the Congress will go along and take the action on the 10-8-4 formula, if some individual can find another \$2 billion

that he can cut, he can always offer that in an amendment the rest of the year and let the Congress vote on it.

We must act now to chart a course of fiscal prudence. We are willing to accept the 10-8-4 formula that the Appropriations Committee of the House voted and that the Ways and Means Committee voted yesterday.

We must do that if America is to fulfill her promise to her people, and most of all, her responsibility to the world.

Today our economic future is being decided up here on Capitol Hill. We have come to a crossroads. One road leads to stable economic expansion.

We have had 87 months of the greatest prosperity any nation has ever known, and the only time in all of our history we have gone this long. Why must we sit idly by and reverse that and go back downward?

The other road leads to a feverish boom. One road leads to stable prices; the other road leads to a step-up in inflation.

One road leads to easier credit; the other leads to soaring interest rates.

We have already paid more in extra interest rates and extra costs and extra high prices than we would get out of the whole tax bill.

With these choices before us, I believe this Nation will travel the road of reason, the road of restraint, the road of prudence, and the road of responsible fiscal policy.

I hope America will travel the right road, because America must. I am doing everything I know how to give the Congress and the country the kind of leadership they need in this trying hour.

I have never thought that tax bills were popular. I have never relied on polls for them. You can ask anybody, "Do you favor a tax increase?" and the answer will be "No."

But if you ask them, "Do you favor a tax increase, or do you favor increased inflation, increased prices, and increased fiscal ruin?" that is a different matter.

I think the average person in this country is a prudent person and a fair person. We cannot fight a war in our cities, we cannot fight a war on poverty, we cannot fight a war on ignorance and illiteracy and disease, we cannot fight aggressors in Vietnam and reduce taxes at the same time.

Yet I want to show you what we have done. These are the individual income tax rates. Now, when I became President, the person who made \$1,000 a year was paying a 20 percent rate. We reduced that to 14. The person who earned from \$2,000 to \$4,000 was paying a 20 percent rate. We reduced that to 17. The person who made \$8,000 to \$12,000 was paying 26 percent. We reduced that to 22 percent.

The person who earned \$44,000 to \$52,000 was paying 59 percent. We reduced that to 50 percent. The person who was earning over \$400,000 was paying 91 percent. We reduced that to 70 percent.

If we had the same tax rates that we had when I became President, before we got into the difficulties that we have, the extra expenditures, we would take in \$24 billion more this year.

Now, I am not asking you to go back to the rates that we had here under the Kennedy Administration and the Eisenhower Administration. I am asking you to just go back enough to get not \$24 billion, but \$10 billion of the \$24 billion. That is all.

Here is the corporate tax rate. This is your corporate tax rate. I reviewed these this morning with the Leadership.

The corporation that had earnings of \$25,000, we charged them 30 percent. We reduced that when we came in to 22 percent. A corporation here was paying 52 percent. We reduced that to 48 percent. Now we are just asking for a part of it.

Here is your personal income. Let me show you what we were doing.

Here is where we were when we came in. That is the income in America. I hope every one of you will see that. When you really "poormouth" and you feel sorry for yourself, think about your mother and your father and what they did in '29 to '31.

Here is what you have done. You have gone from \$466 right here to over \$700. That is during these four years. You have almost doubled your personal income. Congressmen have not doubled theirs, but the country as a whole has doubled it. Maybe the reporters have not doubled it. But the facts are here: from \$466 to a little over \$700. That is personal income. (The President was speaking in billions of dollars.)

Here is your corporate profits. Let's see about your income to your corporations. They were a little under \$60 billion; here they are over \$90 billion. Up to 33 percent in 3½ to 4 years.

Here is your personal income and your tax receipts. Here it was \$466. Then it moves up to \$498. Then \$538, \$584, \$626, and that is '67; '68, you remember, goes up to \$700.

Here is the tax receipts. All the time the income was going up, even though we reduced taxes, tax receipts went up.

This is the last one, the corporate profits before taxes and income tax receipts. Here is the corporate profit. This is what they made after taxes. You see, when we came in here in '63 how much they had to make? They made \$60 billion and we took only \$20 billion. Here they got \$66 billion and we took \$24 billion. Here they got \$76 billion and we took \$26 billion. Here they made \$83 billion and we took \$31 billion. Here they made \$80 billion and we took \$33 billion. Look at this line here, the blue line.

So those are not going down. Now, if you want to keep them going up, every businessman I know, every labor man I know, every economist I know who is a student of this situation, they tell us that if you have a gross national product running over \$800 billion, with the expenditures that we have to make in the cities, in Vietnam, and our poverty program, if you would avoid inflation, if you would avoid runaway prices, if you would avoid high interest rates, if you would avoid a slump in the home-building industry, then you must have a moderate tax bill.

We have had it in every war we have been in. We must have it now.

I don't know what is going to happen, but I am going to do my best and I hope that all of you will do yours.

REMARKS OF THE PRESIDENT AT THE PRESENTATION OF ANNUAL SCHOLARSHIP ACHIEVEMENT AWARDS TO BLIND COLLEGE STUDENTS

Miss Peterson, Mr. Baker, Mr. DuBoff: I am very glad to welcome you here to the Cabinet Room of the White House today.

We have the very distinct pleasure of presenting awards to three outstanding young people—people who each in their own way represent a triumph of the spirit.

They are blind.

Sherrill Peterson has been blind since birth.

Larry Baker and Leonard DuBoff became blind as young men.

They have more in common than their handicap: They share a determination, a self-respect and a faith in their own ability.

Each one is graduating in the top few percentage points of his or her class. If they had been lesser than human beings, they could have taken a different path. They could have wallowed in self-pity, depending on charity and living very empty lives. They could have let their blindness become more than just a physical affliction.

But they knew, as we do, that the time has passed when the handicapped are shunted off in the backwaters of society, and the time has passed when our only attitudes toward the blind are pity and rejection.

So they chose to stand on their own, asking to be treated not with sympathy, but to be treated with respect.

They want the burdens of responsibility, as well as the rewards.

They know the value of many things that some of us take for granted.

None of us is completely safe from the terrible accidents which could take our sight. We are making progress in the fight against the many causes of blindness.

Yet, we still have in America 400,000 people who are legally blind; a million more whose eyes are so bad that they can't read a newspaper; and 3½ million who have only partial vision.

What Sherrill, Larry and Leonard have proven is that none of these people need be lost as wage earners or active family members, or contributors to our communities.

One of the greatest pleasures I had early in my days in the White House was to take a distinguished lawyer who was blind and put him on the Tax Court. The fine things I have heard about his performance have really made me pleased that I took that action.

It is true that none of us would envy your handicap, but all of us would do well to envy your character.

I remember once overhearing an argument between two men. One was blind. The other man was chewing the blind man up one side and down the other for a business decision he had made.

When the argument was over, someone went up to the sighted fellow and said, "You should not have done that. Didn't you know he was blind?"

The man was a little surprised. "What does that have to do with anything?" he said. "That man has a better mind than you and I put together and he made a stupid mistake. He would never have forgiven me if I hadn't bawled him out."

So I say to all of you that I would never have forgiven myself if I had not come here to meet with you and to recognize you; to try to gain strength from you, and to learn from you.

Thank you.

EXCHANGE OF REMARKS BETWEEN THE PRESIDENT AND PRIME MINISTER THANOM KITTAKACHORN, OF THAILAND, THE SOUTH LAWN, MAY, 8, 1968

THE PRESIDENT. Your Excellency, Lady Chongkol, Secretary and Mrs. Rusk, General and Mrs. Chapman, Distinguished Guests, Ladies and Gentlemen, Welcome to the United States.

It has been many months since we began planning this visit. Yet, because of the events of the last few days, your arrival today is especially timely.

There is a fresh breeze of hope circulating around the world. It concerns both of our nations, as well as many other nations.

Thus, it is a good time for men to meet and to reflect, it is a time to set our long-term aims and our aspirations for the days ahead.

Mr. Prime Minister, America's aims are simple and straightforward.

We believe that freedom and peace in America can only be secured if America remains involved in, and concerned with, the future of human freedom throughout the world.

We believe that the cause of freedom and progress can be worked for both economically and politically.

The experience of Thailand over recent years shows that great economic progress is possible when a motivated people seek it, and work toward it, in freedom. The Thai economic growth rate over the last seven years has surpassed 7 percent per year—one of the highest rates in all the world.

We believe that human freedom thrives best when men have the right to determine their own political destiny.

That has been our aim in Vietnam: to help a nation in its struggle to determine its own destiny. As that simple—but very difficult—objective becomes secure, the American role in Vietnam will diminish and disappear. I stated that in Manila in 1966; it was stated by General Westmoreland again in late 1967; it has been stated by our Secretary of State, and Secretary Clifford restated it just a few weeks ago.

In Bangkok in 1966, at your beautiful university there, I said to the leaders in Hanoi: "Let us lay aside our arms and sit down at the table of reason . . . enough of this sorrow . . . Let us begin the work of healing . . ."

There is hope now, finally, some hope that that offer will bear fruit and that an honorable peace could come.

The world knows that the brave Thai people have been in the front rank of those who fought the good fight for freedom in Southeast Asia. Thailand was the first nation—the first nation—to join with America in the successful UN effort in Korea in 1950. Thailand was the first member to ratify the SEATO Treaty. Thai troops today stand and fight shoulder to shoulder with us in South Vietnam.

Mr. Prime Minister, it is good to have such a staunch ally by one's side as we begin this time of hope and recommitment to our principles.

Welcome again. We look forward with great pleasure to the time that you can spend here with us and to the profitable exchanges that we sincerely believe will take place.

The PRIME MINISTER, Mr. President, Mrs. Johnson, Ladies and Gentlemen:

May I express my heartfelt appreciation, Mr. President, for your generous words of greeting.

My wife and I have been happy to accept your kind invitation to visit the United States and to bring with us for you, Mr. President, and for Mrs. Johnson and the American Nation, the greetings and good wishes of Their Majesties the King and Queen, as well as those of the Thai people.

We also vividly remember your visit to our country, the first official visit ever paid by a President of the United States to Thailand. The Thai people greatly rejoiced in welcoming you as the Chief of State of a country we, in Thailand, hold to be our great friend and ally.

Mr. President, while some people may not be clear in their thinking, as their minds are beclouded by doubts, we in Thailand fully realize and appreciate how much the United States and its gallant soldiers have done and are still doing to help defend small nations against aggression and, thus, to preserve the delicate peace in the world.

We know the extent of sacrifices such a decision involves, but the lesson of the recent past tells us that they are smaller than those which would have to be borne if the aggressors were allowed to strengthen themselves with the spoils of their victims.

The Thai Nation and, indeed the free nations of Asia, will always remember you, Mr. President, as the courageous defender of freedom in Asia and as the man who has spared the United States and the world from another holocaust.

Thailand, on its part, has accepted to shoulder its share of sacrifices and responsibility. At the same time, the Thai Nation and people are with you and those enlightened Americans in your incessant quest for a lasting and meaningful peace—a genuine peace which is not a facade covering a surrender—but a peace which guarantees freedom and the right for small nations to exist with dignity and independence.

With this purpose in mind, we have come to Washington to join with you, Mr. President, in our unrelenting search for a peaceful and progressive future in Southeast Asia.

REMARKS OF THE PRESIDENT AT PRESENTATION OF YOUNG AMERICAN MEDALS, THE CABINET ROOM, MAY 9, 1968

Attorney General Clark, Director Hoover, Dean Griswold, Distinguished Members of Congress, Ladies and Gentlemen:

This morning we have come here to the Cabinet Room because it gives us an opportunity to honor courage—not, as often in these times, the courage of the battlefield, but the quieter courage that is exhibited by our finer citizens in their everyday life.

I am doubly pleased because these awards pay tribute to the idealism and the commitment of our American youth.

There is a great deal of ferment among many of our people today. Some of it is foolish and some of it is self-destructive. But most of it represents power—power for good, power for constructive change. I think most of it is brave and most of it is selfless.

William Glynn is receiving the Young American Medal for Bravery. He was just 15 years old when he saved a drowning man off Long Island. For more than two hours, he battled 14-foot waves to keep the exhausted and the unconscious man from slipping away to a certain death.

Carmalita Capilla and Mary Lynne Donohue are receiving medals for service.

Carmalita devoted almost all of her free time to helping the less fortunate mentally ill at Hawaii State Hospital. One hospital official said, "You could follow Carmalita by the trail of smiles she left with the patients."

Mary Lynne was president of the Sheboygan Association of Youth. She directed more than 1,000 young people in fund raising for the March of Dimes and the USO.

She was a member of the Steering Committee of the Sheboygan Human Rights Association. Somehow, she still managed to finish in the top five percent of her high school class.

There were 70 other nominees—from 23 States, Guam, and Puerto Rico—who did not win medals. But we value them nonetheless.

In this period of our history, when we so often see on our screens and so often read in our newspapers the mistakes that have been made and the errors that have been committed, it is refreshing and stimulating to hear and see some of the things that make our Nation the great nation that it is.

They—and you—are a credit to your generation. You are an inspiration to your President and to your country.

Thank you very much.

GUILT BY VERBAL ASSOCIATION

HON. TOM STEED

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1968

MR. STEED. Mr. Speaker, it is always beneficial to have as much commonsense and reason as possible brought to bear when great and pressing public problems generate intense reactions in the Nation. In the current concern with some of our domestic problems it is easy for hysteria and snap judgment to lead us into making serious mistakes.

The attached editorial in the Wall Street Journal of May 13, 1968, is the best application of some commonsense in relation to current problems that I have seen. I hope this reproduction of these wise words will add much needed emphasis to this kind of thinking. We can use it.

The editorial follows:

GUILT BY VERBAL ASSOCIATION

That felicitous writer, Malcolm Muggeridge, is justifiably unhappy at the way other members of his craft (and practically everyone else) are misusing the word "ghetto" in connection with race relations. His remarks are worth noting, and not just because of the fate of one small word, although that too has significance as a symptom.

"I agree with Orwell," the former editor of *Punch* recently wrote the *New York Times*, "that the maintenance of the true meaning and correct usage of words is one of the essentials of civilization, and requires our constant vigilance. Already words like 'liberation' and 'love' have become so corrupted that one scarcely dares to use them any more."

"Nor should we forget that in the days of the wartime alliance, in all the weightiest organs of Western opinion, Stalin's Russia was invariably included among the 'freedom-loving powers.' In England at this moment we are paying—and bitterly—for indulging in the linguistic pretense that we had set up a 'multiracial commonwealth' when no such thing existed. . . ."

As to the "ghetto" itself, Mr. Muggeridge makes these comments:

"No sane person, I think, will wish to contradict me when I say that the ghetto, as it existed in Imperial Russia and Poland, cannot be equated with, say, Harlem today. In some respects conditions were worse, in some better; they were in no wise the same. . . ."

"By equating Negro slums with a ghetto, on the one hand white racialism—in itself bad enough in all conscience—is associated with the additional horrors of Nazi anti-Semitism. On the other the white bourgeois champion of the Negro can see his wrongs in terms of pogroms and other distant and remote wickednesses, rather than of nearby and present social and economic inequalities."

Not only is the racial picture thus doubly distorted. In addition, the very real progress that a great many Negroes have made over the years tends to get submerged.

We realize that it is considered Pollyannaish or worse, in these days of white breast-beating, to speak of Negro progress. Yet the simple fact is that a large Negro middle class and a smaller upper class do exist; Negro publications themselves stress the rewards to businessmen of appealing to the Negro market. And this fact, along with the undeniable poverty and other ills that many suffer, is surely an important part of the whole story.

Negroes, in short, are not locked up in ghettos in the customary connotation of the term. If a man is born in a slum, he is able to leave it, and the proof is that considerable numbers of Negroes are doing so all the time.

It should also be mentioned that the special characteristic of largely Negro areas in the past 15 years or so is not that they are uniformly grim (Harlem certainly is not). It is that slum conditions have been hugely aggravated by an invasion, the in-migration of millions of unskilled, little educated people from rural regions. Had that not occurred, it is a safe bet there would be less denunciation of ghettos today.

Far from fencing in anybody in a ghetto, American society has tried hard to provide equal opportunities for Negroes as well as all other citizens. Our courts, our laws, the mass of public opinion, all are on the side of Negro advancement. Maybe a little credit is due, considering that the difficulties of economic improvement and genuine integration are imposing indeed. A society running ghettos doesn't even try.

It is inadequate so far, of course; that is universally acknowledged. More than acknowledged, white people are doing things

about it on their own, quite apart from the legal structure.

Increasingly they are endeavoring to involve themselves personally, somehow, in Negro problems. Business enterprises plainly are doing it, especially in the concrete sense of making a concerted effort to furnish more jobs for Negroes. Some of the efforts will be unavailing, but a people generally afflicted with a ghetto mentality would not be reacting in this fashion.

The usage and meaning of certain words almost inevitably do change with time, and the process is not always bad. What is at least unfortunate is when words are falsified in order, as Mr. Muggeridge observes, to make them serve political ends.

U.S. ROLE IN FOREIGN AFFAIRS TODAY AND TOMORROW

HON. LARRY WINN, JR.

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1968

Mr. WINN. Mr. Speaker, the Congressional Club of my district in Kansas recently sponsored an essay contest entitled "Week in Washington." The participants were invited to submit essays treating the subject of "U.S. Role in Foreign Affairs Today and Tomorrow." I am pleased to offer to my colleagues for their reference a profound and comprehensive essay on the subject which was prepared by the winner, Mr. Lewis Wall, who is a senior at Shawnee-Mission North High School in Johnson County, Kans. The full text of Mr. Wall's essay is as follows:

THE U.S. ROLE IN FOREIGN AFFAIRS TODAY AND TOMORROW

(By Lewis Wall)

The United States, with her powerful military and industrial complex intact, emerged as the world's most powerful nation after World War II. Willingly or not, she was thrust into the leadership of the world, completely reversing the isolationist foreign policy of the 1920's and 1930's. The world breathed a sigh of relief, hoping that at last conflict could be at an end. The United States and the Soviet Union appeared to be allied in common cause, and a spirit of post-war friendship prevailed. The Russians soon proved, however, that they were friendly merely to regain their lost strength. They began opposing the United States in the fledgling United Nations instead of cooperating to achieve peaceful ends. Eastern Europe tumbled into Russian hands through deceit, subversion, and blatant violation of the pact made to insure free and democratic elections. China collapsed and the Nationalists fled to Formosa. The Cold War began.

Today, the United States stands alone, so it would seem, in a sea of troubles. Beset with the antagonism of the French, confronted with the setting of the sun on the British Empire, and bewildered by a confusing war in Vietnam, the United States is faced with the awesome task of resisting Communist aggression wherever it appears. To be policeman for the world is not an easy task, but troubles notwithstanding, the United States now maintains that position. The question is whether or not she will be able to continue to do it in the future.

The United States, unlike Atlas, cannot carry the burden of the world forever. Eventually, as all nations must do, she will begin to weaken and falter. Still, the threat of Communist aggression must be met. A problem arises as to the method of meeting

the challenge. The United States may not be able to meet it alone.

American foreign policy in the future will probably become closely tied to two other nations, one in Europe, one in Asia. The Federal Republic of Germany presents itself as a growing, thriving, strong nation, ready to assume the major role of responsibility in European affairs. The possibility is strong that she will eclipse both France and England as the leader of Europe. Japan, already ranking third in the world's output of goods and services, will provide a powerful force to offset the threat of Communist China in Asia. Thus, the Free World's defense against Communism can rest on a triangle composed of the United States, Germany, and Japan. Germany can be allowed to take the initiative in the defense of Europe; Japan can exert pressure in Asia, and the resources of the United States can be further diverted to the real foundation of any nation's foreign policy—friendly relations with other nations.

While resistance to Communism is the basic tenet of our foreign policy today, and is likely to remain so in the foreseeable future, the mere defeat of armed aggression cannot be the sole purpose of a foreign policy. Building up a large circle of friends and allies on which a nation can rely in times of trouble must be the ultimate goal of international relations. The emerging nations of Africa and the struggling nations of Latin America provide fertile ground for either building strong and lasting friendships or creating enemies. Both will be extremely important areas in the future, and both have been sadly neglected during recent years. Latin America, for example, has often been subjected to "Yankee Imperialism," and "Dollar Diplomacy," blots which are hard to erase. The governments are unstable; the economic conditions are poor; the peasants are restless and looking for leadership. Can the United States, in her own best interests (as well as furthering humanitarian goals) alleviate some of these conditions to help establish stability? Undoubtedly she can and must, always remembering that the object of her endeavors is not exploitation, but the establishment of mutual respect, friendship, and a firm foundation for democratic order. With a foreign policy based on these three principles, the United States can truly be the ideal of Daniel Webster: "... a vast and splendid monument, not of oppression and terror, but of wisdom, peace, and of liberty, upon which the world may gaze with admiration forever."

TRIBUTE TO THE HONORABLE JOE MARTIN

HON. W. R. POAGE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1968

Mr. POAGE. Mr. Speaker, Joe Martin was such a human and such a lovable character that I would not want to allow this opportunity to go by without adding my own word of appreciation for his long and sincere service to our country.

As would be imagined, I often found myself in disagreement with Mr. Martin, but I never found myself doubting his sincerity or patriotism. On two different occasions I served under Mr. Martin's speakership. He was partisan. He recognized that he was Speaker by reason of being a Republican, but he was fair and he was dedicated to the welfare of America—and as I see it, this is the test of a good public official.

Mr. Martin loved his colleagues and certainly all of the old-timers who knew him as I did loved Joe Martin. I miss him and I feel that the country has lost a great American.

U.S. ATTORNEY GENERAL CLARK SHOULD RESIGN

HON. JAMES H. (JIMMY) QUILLEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1968

Mr. QUILLEN. Mr. Speaker, WKPT radio station in Kingsport, Tenn., recently broadcast an editorial of the air by Mr. Martin Karant in which they urged that U.S. Attorney General Clark resign. Because I am in agreement, I wish to call this editorial to the attention of my colleagues and the readers of the RECORD:

U.S. ATTORNEY GENERAL CLARK SHOULD RESIGN

(By Martin Karant)

Attorney General Ramsey Clark should make up his mind . . . and right away . . . that he is either going to enforce the laws of the land fairly and impartially, or resign.

According to our understanding of the duties of this high office, Clark is sworn to protect the public from those who would break our laws . . . laws that have been put on the books for the specific reason of protecting all of us against anyone or any group that would seek to overthrow our government by force and/or violence. Our laws, federal, state and local . . . are clear in outlining that our police are empowered . . . in fact, SWORN . . . to arrest anyone caught committing a felony and to use whatever reasonable force is necessary to apprehend and hold the criminal. Clark has almost wiped out this important requirement of the law by saying publicly that he doesn't agree with police shooting arsonists and looters . . . that human life is more important than property rights. On the face of it, that sounds great. But think about the enormous implications of saying to police, "Don't shoot those looters you catch red-handed. Don't shoot that guy with a molotov cocktail. His life is worth more than the property he is going to burn, even if there happen to be innocent people in the target building."

Laws are instituted for only one purpose: to place some sort of penalty on committing crimes against the welfare of the people, thus providing a deterrent to taking advantage of innocent citizens. When laws are broken, penalties should be inflicted as quickly, fairly and as impartially as possible.

All citizens have the right to protest those laws they deem to be unfair . . . but their right of protest does NOT include license to burn, loot or kill. Attorney General Clark has practically wiped out the biggest deterrent to these crimes by his public statements.

The Justice Department has been "investigating" such men as Stokely Carmichael and Rap Brown for months. Both of these men have been publicly urged open insurrection by force and violence. The results of their urgings have been seen by millions of Americans as cities have been burned and looted . . . innocent people have been completely wiped out of their lifetime earnings . . . and police and firemen have been subjected to sniper fire in the performance of their sworn duty to protect lives and property. Brown is now in jail on a relatively innocent charge, while Carmichael remains free to continue his incendiary attempts to subvert and destroy

this nation. And the Justice Department is still investigating!

Are we talking about racism? Definitely NOT! We're simply talking about the rule of LAW! Without law we have anarchy . . . it's that simple. We submit that by his inactivity and by his public statements, Attorney General Ramsey Clark is substituting his *personal opinions* for the laws he has sworn to uphold. Thus, he should resign. Think about it!

REPORT TO CONSTITUENTS

HON. JOHN W. BYRNES

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1968

Mr. BYRNES of Wisconsin. Mr. Speaker, under leave to extend my remarks, I include the following report to my constituents:

REPORT TO CONSTITUENTS

PAYING THE PRICE

The nation and its citizens will now start to pay the price of the ruinous fiscal policies pursued by the Democratic Administrations of the 1960's. Last week, agreement was reached by a conference committee on an income tax increase and a cutback in federal spending. It was an agreement (which still must be ratified by both the Senate and House) made necessary by what the Chairman of the Federal Reserve Board has called our "worst financial crisis since 1931". That crisis has been caused by the Democratic policy of increasing, rather than limiting, non-defense spending during a costly war, thus piling up unmanageable deficits, both in our national budget and our international accounts.

TAX INCREASE

Every taxpayer (except those with taxable income under \$1000), under the agreement, will receive a 10% boost in his Federal taxes, retroactive to April 1 (corporations, to January 1). In addition, scheduled decreases in automobile and telephone taxes will not go into effect. Increases in withholding will start the 15th day after enactment.

SPENDING CUT

The agreement calls for a spending cut in FY 1969 (beginning this July 1) of \$6 billion, from 186.1 billion to 180.0 billion. Under the agreement, Congress will cut expenditures to the extent it can; to the extent its cuts fall below \$6 billion, the President will be required to reduce actual spending to reach the limit. Let no one minimize the difficulty of making these reductions. The walls of those whose pet project, program or proposal is cut back will be heard throughout the land.

PRICE

The price then of the Administration's spending binge will come high: substantial tax increases cutting into take-home pay; what's left of take-home pay being further reduced by rising prices and rising interest rates; drastic cutbacks in federal programs, delaying local projects, and, over-all, the threat that, if these remedies do not work, more of the same bitter medicine will be required in order to prevent an economic collapse.

TRADE

My committee, Ways and Means, will begin hearings early next month on the general subject of the balance of trade between the U.S. and foreign nations. Testimony is expected from many industries feeling the effects of low-cost foreign imports—including dairy products, mink furskins and shoes (industries affected in our district). Part of the reason for the growing deficit in our balance

of payments position is the shrinking of our trade balance—as imports increase and exports become more difficult due to inflation in our economy.

HOLIDAYS

The House last week passed a bill which eventually would give the nation four long (three-day) week-end holidays a year. It would do this by specifying that Washington's Birthday would be celebrated on the third Monday in February, Memorial Day on the last Monday in May, Columbus Day on the second Monday in October and Veterans Day on the fourth Monday in October. The changes would take place in 1971, giving the states time to enact conforming legislation. The Senate has not acted on the bill.

MISCELLANY

I had a chance to talk with many Outagamie residents on federal problems and legislation during office hours in Appleton on May 3 . . . On the same trip home, I was pleased to speak at the dedication of a new parking mall in West De Pere—a civic improvement built without federal assistance.

WILL IRS SHUT DOWN STUDENTS FOR A DEMOCRATIC SOCIETY

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1968

Mr. ASHBROOK. Mr. Speaker, it appears that the Federal Government may be taking a step in the right direction. According to the bulletin of the American Council on Education, the national offices of Students for a Democratic Society may be forced to close because of failure to pay their Federal taxes.

It seems strange that the Internal Revenue Service would do such a thing to the "brothers and the sisters" of SDS when they have law-abiding, Government-supporting, antiriot-oriented citizens to concern themselves with.

Higher Education and National Affairs, the bulletin to which I referred, said:

SDS National Secretary Mike Spiegel indicated the organization owes \$10,000 in Federal taxes . . . there are no alternatives.

Possibly the word should have gone out from SDS national headquarters to members at Columbia University. Then these members and loyal followers could have hocked the fixtures from captured buildings rather than merely breaking them up.

As quoted in the bulletin, if SDS goes under the American people will be spared "good projects" which are being established "with the Army and with the National Guard to build resistance and encourage defection."

Things must really be out of hand if the administration cannot save SDS. Maybe Internal Revenue has not received the word, yet, from the President and the Attorney General.

The excerpt from the May 10, 1968, bulletin of the American Council on Education follows:

STUDENTS FOR A DEMOCRATIC SOCIETY CHARGES FEDERAL TAX CASE MAY CAUSE ITS OFFICE TO CLOSE

The national office of Students for a Democratic Society claimed this week it will be forced to close its headquarters in Chicago if

it fails to meet a deadline for payment of Federal taxes. In an appeal for funds addressed to "Brothers and Sisters of the Movement," SDS National Secretary Mike Spiegel indicated the organization owes \$10,000 in Federal taxes, but did not disclose when the money is due.

In Washington, the Internal Revenue Service would neither confirm nor deny that the militant leftwing group owes back taxes. There is "nothing of a public record nature" to report, a spokesman said.

Spiegel charged that "Washington has made a serious move against us. The damage which the government can inflict upon the national office is total destruction." Stating that "our accountants now estimate that the total damage will be approximately \$10,000," Spiegel said that "if we do not have the money when payment is demanded, they can close the office and confiscate any equipment as payment of taxes. If we do not have that money, the national office is finished, done, closed, over. . . . We need the help, there are no alternatives."

Spiegel also charged that "the liberals are forsaking us," because "the McCarthy and Kennedy candidacies have rechanneled a large amount of financial support." Claiming that SDS is "deep in debt," Spiegel said staff members currently are being paid only \$15 a week.

The letter of appeal said the SDS financial crisis has arisen at a time "of incredible importance in American history. . . . There are SDS programs going on in many cities this summer—on the draft, on racism and around grass root grievance issues in the community. Good projects are setting up to work with the army and with the national guard to build resistance and encourage defection. . . ."

SDS has announced that its national convention will be June 10-15 at East Lansing, Mich., location of Michigan State University.

GRAND JURY REPORTS ON BAIL BONDS

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1968

Mr. ROGERS of Florida. Mr. Speaker, as the sponsor of H.R. 16219 tightening the bail bonding procedures, I was pleased to learn that the Federal grand jury here in Washington, D.C., has officially recommended similar legislation. As the Washington Evening Star indicated in its editorial of April 25, which appears at the end of these remarks, the grand jury was disturbed to find numerous crimes committed by people out on bond and awaiting trial in previous cases. This is all too often the case, and under current procedures, the judge in setting bond can only consider the availability of the individual to appear at time of trial, not the safety of the public. H.R. 16219 would allow a judge to consider the safety of the community at large as well as the appearance of the person charged with a crime.

This legislation represents a step in the direction now recommended by the Federal grand jury here. I urge every Member of Congress interested in the war on crime to give it careful consideration.

The editorial follows:

GRAND JURY REPORT

A grand jury generally is something of a faceless institution. It returns indictments

in certain cases. It refuses to indict in others. And then the members, having done their civic duty, call it a day and go their respective ways.

Not so with a grand jury which recently completed its two-month stint in our United States District Court. These grand jurors, having been exposed day after day to the criminal parade, decided that they had a further responsibility. They thought that certain improvements in the process of administering justice in Washington were in order, and they passed their views along in a special report to Congress.

High on the list was a recommendation that something be done about the bail bond procedure. The jurors were disturbed by their discovery that "time after time defendants out on bond committed new crimes while awaiting trial." They thought that the 1966 Bail Reform Act should be amended so that judges, now denied the right, could take into consideration the question of danger to the community in deciding whether to grant bond to a criminal suspect. We are in wholehearted agreement.

Other points dealt with in the grand jury's report were soft-hearted treatment by judges of dangerous offenders as far as probation and other leniencies are concerned, and especially the imposition by some judges of relatively light sentences for second and even third offenders after conviction of serious crimes.

To sum it up the members of this grand jury have urged Congress to help curb crime in Washington to the extent that it is within the power of the legislators to do so. We hope the congressmen will give very careful consideration to their report.

PRICE AND MONOPOLY TRENDS IN GRAIN MARKETS

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1968

Mr. FINDLEY. Mr. Speaker, concerned about the trend toward monopoly in grain markets and the downward trend of grain prices, I have asked Agriculture Secretary Freeman to investigate monopoly conditions and program corn and Red Winter wheat under Public Law 480.

Following is the text of my letter to Mr. Freeman:

HON. ORVILLE FREEMAN,
Secretary of Agriculture,
Department of Agriculture,
Washington, D.C.

DEAR MR. SECRETARY: Last week the price of wheat in Chicago tumbled to the lowest level in 26 years. In terms of constant dollars, that price is only about half of what it was 26 years ago. In the case of corn, it is very much the same story.

The price spread between the May and December wheat futures in Chicago is approximately 13 cents per bushel. In other words, carrying charges on wheat amount to nearly 30 cents per bushel per year, not including interest. As you know, freight rates on grain were increased a few months ago and a further boost is now being sought. For some Great Plains wheat producers it costs more than 30 cents per bushel to move wheat to terminal markets. The price of bread continues to go up, even as wheat prices decline.

In other words, everyone involved in the picture—the freight handler, the warehouseman, the processor and the retailer—seems to be doing all right—with this one con-

spicuous exception: the farmer. He is on a depression-level basis while the rest of the economy is enjoying a boom.

Part of the explanation may be that the American farmer is being victimized by monopolies—notably in the grain trade which seems to be dominated by a handful of companies. I am concerned with what seems to be a trend toward monopoly and strongly urge that you undertake an investigation of this situation, in order to clarify facts. One grain man in Chicago, the bellwether for both domestic and foreign grain markets, writes:

"The quality and the terms and conditions of delivery on the Chicago Board of Trade warrant close scrutiny and radical changes. Deliveries appear to be controlled by two or three warehousemen. Anyone holding a warehouseman's receipt cannot compete with the warehouseman on a sale basis. Charges for carrying grain can only be categorized as usurious and have contributed to the overall demoralization of prices for the farmer."

The presence of large quantities of Soft Red Winter Wheat and poor quality corn in the Chicago area is putting further pressure on already disastrously low grain prices. As you know, over a period of years I have protested to you concerning what I believed to be discrimination against exports of this class of wheat under Public Law 480. The reply invariably was that Soft Red Winter Wheat was not in surplus and that P.L. 480 directs the Department to move commodities in excess supply.

Today the price of both Red Winter Wheat and corn in Chicago emphasizes that both of these commodities are very much in surplus. May wheat in Chicago, for example, is 13½ cents per bushel under Kansas City. I think there is an opportunity to provide at least a little help to farmers now by programming additional quantities of Soft Red Winter Wheat and corn for export under P.L. 480.

Sincerely yours,

PAUL FINDLEY,
Representative in Congress.

HOUSE UN-AMERICAN ACTIVITIES COMMITTEE FANS THE FLAMES

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1968

Mr. MOORHEAD. Mr. Speaker, at a time when this Nation's greatest need is for harmony and understanding between the races, the Un-American Activities Committee of this body has done all Americans a great disservice by issuing an inflammatory special report about alleged guerrilla warfare against the United States by its own citizens.

The Pittsburgh Post-Gazette properly denounced the committee's report in an editorial in its May 9 edition. Under leave to extend my remarks, I insert the editorial at this point in the RECORD and commend it to the attention of my colleagues:

HOUSE UN-AMERICAN ACTIVITIES COMMITTEE FANS THE FLAMES

The bumbling House Un-American Activities Committee must be credited with consistency. In critical periods it can be depended on to compound confusion and heighten tensions. At a time when federal and local governments are trying to dampen smoldering racial hostilities, the HUAC has predictably burst into the scene with a can of kerosene.

A favorite fiction of black militants is that the federal government is preparing deten-

tion centers or "concentration camps" for Negroes. The sedulously cultivated rumor has inflamed frightened ghetto dwellers in spite of the denials of federal officials, who have stamped the alleged plan as "wild" and "un-constitutional." The need for caution has not deterred the enthusiasts of the HUAC. The Committee has sought to corroborate the most rabid projections of black and white racists with an incendiary special report.

Committee Chairman Edwin E. Willis, Louisiana Democrat, asserts that mixed Communist and black nationalist elements are planning guerrilla warfare against the U.S. The report of the Committee states that the guerrillas would be declaring a "state of war" and would therefore, as enemy belligerents, forfeit their rights. The insurrectionists would then be subject to temporary imprisonment in detention camps operated throughout the country.

The HUAC obviously believes that a ton of cure is worth an ounce of prevention, since "most civil liberties would have to be suspended" and "search and seizure operations" initiated during daylight hours. As Harry Truman once suggested: "The most Un-American thing about the House is the House Un-American Activities Committee."

MILWAUKEE JOURNAL CALLS UPON GENERAL HERSHEY TO RETIRE

HON. ROBERT W. KASTENMEIER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1968

Mr. KASTENMEIER. Mr. Speaker, the still unreleased report of a three-man Presidential task force, which includes General Hershey, vetoes any basic reform of the Nation's draft system this year. This task force, which was set up to review the recommendations made by the National Advisory Commission on Selective Service, took exception to every major reorganizational reform suggested by the Commission.

The only chance for any favorable revision of the Selective Service System will have to rest with a new administration, and, hopefully, the new President will remove the aging General Hershey, the major obstacle to any reform, and his philosophy from the Selective Service System.

Mr. Speaker, it is in this respect that I would like to call to the attention of my colleagues an editorial which appeared in the May 4, 1968, Milwaukee Journal. The Journal, one of the Nation's most respected newspapers, calls for the retirement of General Hershey. The editorial follows:

OLD SOLDIER SHOULD QUIT

Gen. Hershey, the selective service director and an old soldier who never says die, seems to have won another round. A three man presidential task force, of which he was a member, has rejected substantial draft reforms proposed a year ago by a 20 member commission named by President Johnson.

The commission strongly criticized the sprawling, loosely knit, free wheeling selective service system with its 4,000 neighborhood draft boards, 56 state headquarters and 95 appeal boards. It declared that local boards, manned by private citizens, were using widely varying standards in classifying young men. It proposed a federally coordinated system with eight regions and 300 to 500 regional offices in major population cen-

ters, working under sharply defined and uniform draft standards.

In a 1967 message to congress, President Johnson declared that the nation cannot afford to preserve the existing draft system "if we find that in practice it cannot adapt to the new controlling concept of equal and uniform treatment."

The present system is archaic and inequitable, including the foolish practice of taking the oldest eligible men first instead of the youngest. The best that can be done with this patchwork quilt is to scrap it and start afresh with a modern organization and rules that promise every young man "equal and uniform treatment." This is a job only congress can do, a duty it has shunned.

At 74, Hershey has had a remarkable and remarkably useful career of public service. He has been selective service director for nearly 27 years. In recent years he has been an opinionated, increasingly inflexible opponent of change. He could best abet the modernization of the nation's creaky draft machinery by vountarily removing one of the principal barriers to greater draft equity and efficiency—himself.

WINN QUESTIONNAIRE

HON. LARRY WINN, JR.

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1968

Mr. WINN. Mr. Speaker, because I feel so strongly that the American voter should have the opportunity to express his views on the many crucial issues facing this Nation, I am seeking the opinions of my constituents through a questionnaire. I believe questionnaires encourage broader citizen participation and interest in representative government, in addition to providing an invaluable link between the voter and his elected representative in Congress.

The questionnaire follows:

WINN QUESTIONNAIRE

1. Do you favor Federal legislation regulating the sale and possession of firearms?
Yes ☐
No ☐
Undecided ☐

2. Do you favor legislation which would permit a portion of your Federal income taxes to be used to pay the cost of political campaigns?
Yes ☐
No ☐
Undecided ☐

3. In your opinion, what is the primary cause of increased crime and violence?
Lenient lower courts ☐
Poverty and unemployment ☐
National moral decay ☐
Disrespect for law ☐
Inadequate law enforcement ☐
Supreme Court decisions ☐

4. Do you favor the administration's present Vietnam policy?
Yes ☐
No ☐
Undecided ☐

5. Do you favor a greater Federal Government role in the area of agriculture and farm product support?
Yes ☐
No ☐
Undecided ☐

6. Which four of the following would receive your highest priority for spending reductions?
Defense ☐
Foreign aid ☐
Agriculture ☐

Public works ☐
Education ☐
Health ☐
Highways ☐
Poverty program ☐
Aid to cities ☐
Beautification ☐
Supersonic transport ☐
Space explorations ☐
Anti crime programs ☐
Air and water pollution ☐

7. Do you favor legislation providing Federal assistance to help low-income families achieve home ownership?
Yes ☐
No ☐
Undecided ☐

8. Do you favor a Federal attack on unemployment by offering incentives to employers to hire and train unskilled workers?
Yes ☐
No ☐
Undecided ☐

9. Do you think the Federal Government should return a portion of the taxes it collects to State and local governments to use as they see fit?
Yes ☐
No ☐
Undecided ☐

THE ADVOCATES SOCIETY OF CHICAGO

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1968

Mr. PUCINSKI. Mr. Speaker, recently the newly elected president of the Advocates Society in Chicago, attorney Mitchell Kobelinski, delivered an inspiring inaugural address in which he put into proper perspective the meaning of the contribution made by the various ethnic groups of America to the growth of this Nation.

Mr. Kobelinski, who is also vice president of the Parkway Bank, deserves the highest commendation for speaking out at a time when so many would try to form this Nation into a single, monolithic form with all of its 200 million citizens marching in a single cadence.

Mr. Kobelinski's excellent address follows:

REMARKS OF ATTORNEY MITCHELL KOBELINSKI, PRESIDENT, CHICAGO ADVOCATES SOCIETY

Reverend Fathers, Honorable Judges and other public officials, distinguished guests on the dais, my dear friends and fellow members.

The privilege of serving as President of an organization composed of a man's fellow professionals is a unique honor, a challenge, and a responsibility all at once. The challenge seems especially unique when the organization involved brings together a limited group of people united not only by their profession but by their common ethnic heritage.

A challenge, because many have asked in recent years why do organizations such as ours continue to exist and what purpose can they serve in our great modern American society.

Of course there are also a few today who question the greatness of our American way of life, but I don't think that you'll find one of these among our membership or in this group gathered here tonight.

I'll try to convey by means of a very homely parable what I believe to be a relatively accurate analysis of what makes our American way of life so different and dynamic.

In the 30's when I was in grade school, it seems that the over all purpose and then current guiding philosophy in education was to make over all boys and girls into the image of little Jane and Dick about whom we read in our primary readers. We should all live in a white cottage with a white picket fence—in a family of 4—1 boy—1 girl—Mama and Papa. No, I'm wrong, these children wouldn't say Mama and Papa, it would be Mother and Father.

Perhaps it was the prevalent socialist communist influence or perhaps the Dewey educational philosophy, but in any event we were all to become one identical prototype, with every effort being made to eradicate the foreign ethnic influence.

It was fashionable to change your name to lose any possible "foreign" identity, and it was certainly not fashionable to speak a foreign language, or belong to an ethnic organization.

In short we had young America marching on the road toward creating a society which would be absolutely homogenous, but this road lead to a meat grinder where we all were to be figuratively chopped up—equalized and come out in one homogenous mess, which can best be described as hash, or worse yet mush, and if you like food the way I do, you don't like mush.

But that version of America is wrong and absolutely contrary to our human nature—even the Soviets, who have been trying to do this for half a century are finally realizing this.

This is America, as demonstrated by this gathering tonight—Poles—inviting Italians, Norwegians, Greeks, Bohemians, Irishmen, Colored, to break bread together, and it is evident that we are not a homogenous mush.

Here we sit happily together, Catholics, Jews, Protestants, even Republicans, Democrats. Rather than mush I view America as a big pot of Beef Stew where each separate particle retains its identity and adds its own flavor to the overall taste. This is the essence of our great modern American way of life with each ethnic group contributing its own sparkle, spice, zip, variety and interest to our daily life. I think World War II changed the meat grinder thinking of the 30's and we slowly became more cosmopolitan and worldly wise. We all began to accept and enjoy the music, food, dances, literature, customs and interesting descriptive phrases contributed by other ethnic groups, and we began to know and appreciate our neighbors from other ethnic groups.

Here lies our greatness. Each ethnic group making its special talents available—available to enhance the flavor of our great big pot of stew and it's delicious.

If you will accept this analogy then I say it behooves each of us to make our ethnic group a better group, and a more effective contributor to our society.

If your ethnic group is the carrot in the stew—make it a better carrot. Let it add the maximum flavor possible and therein lies our responsibility and the duty of the leaders and members of every ethnic group. Make it a better group—the best in the stew, and as each group competes to be the best, the quality of our society improves. This leads to one additional bit of fact—(not fat)—and here I'm going to be philosophical.

As each ethnic group improves and perfects its own people and goodness, this goodness or perfection must be publicized and made known to all and in turn each group must know and appreciate the good in all the other ethnic groups.

This is the philosophical definition of Love—appreciation of the good, so if we know and understand this goodness we will love and appreciate our fellow man.

So let me say in resume and conclusion, I believe—This is our goal—A great American Stew—to achieve it—

1. It is our responsibility to perfect our ethnic group, whichever one it may be.

2. We must take the bushel off the light of our achievements, the light of goodness represented by our contribution and let others learn of it.

3. As we appreciate the contribution of other groups and vice-versa, we have this "appreciation of good" which is the Love and understanding that we need to make our America an even greater America. God bless it and keep it.

DAYTON, OHIO, OBSERVES PARK MANOR DAY

HON. CHARLES W. WHALEN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1968

Mr. WHALEN. Mr. Speaker, this Friday, May 17, by proclamation of Mayor Dave Hall, the city of Dayton, Ohio, will observe Park Manor Day. This occasion recognizes the third anniversary of Park Manor, a 220-unit residence for the elderly in East Dayton managed by the Dayton Metropolitan Housing Authority.

Park Manor, the largest high-rise public housing building in Dayton, was begun 4 years ago on land cleared for urban renewal. Today there is a waiting list of 1,100 persons.

As part of the celebration, Park Manor residents will hold an open house that will commence with a 10 a.m. ceremony. At that time, I shall present a flag to the residents. Then, throughout the remainder of the day, the building will be open to the public, and entertainment and refreshments will be provided for visitors.

Mr. Speaker, I personally am aware of the successful efforts of the Park Manor management to bring to fruition its pledge "to stimulate social action and self-help programs, to strive for use of the total potential of elderly citizens, and to endeavor to provide the highest level of independent living." This spirit has resulted in the residents' establishing a tenants' organization, an in-house governing body, and a credit union. In addition, there are various recreational activities and a maintenance shop which is open to the residents. Certainly, the entire Park Manor program is one that might well be emulated by similar housing projects in other areas of the country.

In closing, I wish particularly to commend Mr. Roland Matthews, manager of Park Manor. Mr. Matthews joined the Dayton Metropolitan Housing Authority in 1960. In December 1964, while Park Manor was still under construction, he was designated manager. His deep interest in the elderly citizens of the community is evidenced by the dedication with which he has administered the project. Also, Mr. Ulrich G. Rose, who is in charge of the maintenance of Park Manor, deserves special recognition for his many valuable contributions.

I look forward to visiting with these gentleman and the residents of Park Manor on Friday.

IS DISTRICT OF COLUMBIA GOVERNMENT PRACTICING BLACK RACISM?

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1968

Mr. ASHBROOK. Mr. Speaker, the Washington Post of Sunday, May 12, carried an article on the District of Columbia government entitled "City Government Pushes Negro Hiring." The article leads off by quoting Julian R. Dugas, Director of the Department of Licenses and Inspections, as saying:

I am going to be very color conscious in my appointments. This is a Negro city and it should be run by Negroes.

I think most citizens regardless of color would take issue with this statement. I believe most of them would hold that this is not a Negro city, but the city of all Americans—the Nation's Capital, and that it should be run by the most qualified personnel, regardless of race, creed, or color. The tax dollars of all Americans help to finance the operation of this city, unlike the financial arrangement of other cities throughout the Nation.

This much should be made clear: Qualified Negro job aspirants should be encouraged in their search for job opportunities in the District of Columbia. When one looks at the obituary pages in the local newspapers, one reads of patriotic Negro soldiers who have sacrificed their lives in Vietnam along with soldiers of other races. Surely, Negro citizens need apologize to no one concerning their loyalty to the Nation, and justice demands that they be accorded fair and equitable treatment on the basis of their individual talents and qualifications. The same should hold true for all job aspirants in the District of Columbia. If the policy expounded by Mr. Dugas above is to be the foundation for the operation of the District government, then the enactment of home rule for the District will only aggravate the problem of color consciousness. This is still the Nation's Capital, and its primary function is to serve all Americans, regardless of race, creed, or color.

I insert the article, "City Government Pushes Negro Hiring," from the Washington Post of May 12 in the RECORD at this point:

CITY GOVERNMENT PUSHES NEGRO HIRING—PROMOTIONS SPEEDED ALSO

"I am going to be very color conscious in my appointments. This is a Negro city and it should be run by Negroes."—Julian R. Dugas, January, 1968

(By Hollie I. West)

The face of the city's Department of Licenses and Inspections has changed dramatically since Julian R. Dugas took office last December as director. He has made good on his promise.

In the nearly five months he has been in office, he has appointed Negroes to all five of the top positions—administrative slots at grade levels GS-11 or above—that have opened up in his department.

More striking, however, have been the ap-

pointments in the lower grades that Dugas has made in the ranks of secretaries, stenographers and clerks. In 52 positions below GS-11 level, he has appointed 46 Negroes. In total figures, this means that of 57 persons hired by L&I since January of this year, 51 have been Negroes.

This change is symbolic of the transition that has taken place in other city agencies since reorganization of the District government last November.

When Mayor Walter E. Washington was sworn into office Nov. 3, Negroes had been moving into city government jobs at a steady but undramatic pace, primarily in the bottom-level positions.

For example, in 1960, 63.9 per cent of the District's Negro employees were in the lowest four classification grades and only 1.3 per cent were in brackets above grade 11, according to Washington Urban League figures.

By 1966 (the latest year for which official figures are available), 67 per cent of the city's 15,870 Negro employees were in the four lowest job categories, and 2.7 per cent of the total number were in grades 12 and above.

Upward mobility has accelerated dramatically since then. The 1967 Human Relations Council report on Negro-white employment in the District government is not ready, but change is evident.

For the general public, the most visible changes have occurred on the fifth floor of the District Building, where the executive and City Council offices are located. The Mayor is a Negro and so are five of the nine City Council members.

Two of the Mayor's key aides are Negroes—Sherrill Luke, director of program development, and James L. Jones, director of the city's youth program.

His closest advisers on city affairs are Dugas and Corporation Counsel Charles T. Duncan, both Negro.

Isaiah T. Creswell Jr., counsel to the City Council and assistant to Chairman John W. Hechinger, is a Negro. So is Wesley Williams Jr., administrative assistant to the Rev. Walter E. Fauntroy, Council vice chairman.

The number of Negro secretaries has increased radically on the building's fifth floor since reorganization. Where there were four before last November, there are now 20.

A former high city official said things had changed radically since 1961 when "employment in the District government was in bad shape."

WARTIME AGENCIES

But, he said, the change began in the District in 1942 when Federal wartime agencies began to open their doors to Negroes.

He said 67 areas in the city—government and private—were integrated between 1942 and 1954, the year of the Supreme Court decision that outlawed school segregation.

After 1954, the campaign to integrate public facilities and wipe out employment discrimination in the private sector became more intense.

"All this had a lot of effect on policies in the District government," he explained. "Things have gotten better, but they can get even better."

Some say the Mayor can resolve alleged discrimination problems in the city government by requiring that he review every vacancy at GS-7 level or above.

Others suggest the Mayor can end illy-white attitudes in departments by appointing Negroes to head them.

In effect, this is what the Mayor did when he appointed Dugas, an old friend and troubleshooter for him, to head L&I.

L&I was once considered the most segregated of city agencies. A former District official said the Department's administrators did not follow the city's Equal Employment Opportunities program.

Negro employees in the Department were often bitter about the treatment they said they received.

A Negro inspector in the Department's housing division felt that he had been overlooked for promotion because of race and asked the Human Relations Council to investigate. The Council is in the middle of a protracted hearing on the issue.

However, the hearing may be moot in view of Dugas' actions since.

ENGINEERED APPOINTMENT

For example, he engineered the move in March by Mayor Washington to name a Negro, Lorenzo W. Jacobs Jr., as chief of L&I's housing division.

Other top Negro appointees there include Ralph E. Spencer, deputy superintendent of inspectors; Carroll Swanson, deputy housing administrator; Ethel Rhea, statistician, and Daniel Osborne, chief of licenses and review.

Dugas said that in some cases he has been willing to bend standards to get Negro rather than white persons for vacancies.

In the case of a vacant investigator's position, he said that if he had to choose between a white man retiring from the military with investigative experience and a young Negro college graduate with no experience but good potential, he would take the Negro.

Dugas has rewritten job descriptions to give Negroes a better chance of getting employment. He expects criticism for his policies, but points out that L&I is less than 30 per cent Negro (it is 29.4 per cent).

There are 131 Negroes and 314 whites. In 1966, there were 46 Negroes and 344 whites, and in 1960, there were 29 Negroes and 337 whites.

I'll just have to take what criticism comes my way because I think I've done the right thing," said Dugas. It just happens that this is a predominantly black city and blacks should be in the majority among those who govern. If I were in an Indian city, I'd be hiring Indians, or Eskimos if I were in an Eskimo city. I intend to change the color of this division (housing) from rosy red to brown and then to black."

Washington is indeed a black city. About two of every three of its 800,000-plus population are Negroes. It is one of three American cities with Negro majorities. The others are Newark (51 per cent) and Gary, Ind. (55 per cent).

Color consciousness has affected many city agencies.

Kenneth L. Hardy, a Negro and director of the Department of Corrections, says, "I'm conscious of color when appointments are being made, but I don't make appointments on the basis of color."

Negroes Hardy has appointed include Allen M. Avery, associate director of the Department; Charles Rodgers, superintendent of the D.C. Jail; Julius Martin, chief parole officer; William Carr, chief clinical psychologist; Delbert Jackson, business director; Joseph Cheek, administrator of the prerelease guidance center, and Manson and Wade Brown, brothers who are supervisory parole officers.

Hardy said that in some cases Negro physicians and dentists are at levels of GS-12 or above, sometimes outranking the deputy director in rating and pay scale, but they work only parttime and cannot be counted among regular employees.

STILL SOME TO GO

Of about 1073 persons in the Department, 223 are Negro. In 1966, there were 151 Negroes and 821 whites.

"We're a long way from the way we used to be and there's still some way to go," Hardy says.

Hardy said that John B. Duncan, a former District Commissioner, was influential in getting Donald Clemmer, the late head of the Corrections Department, to think of grooming him, a Negro, for Department head.

Duncan, the first Negro member of the old Board of Commissioners, is also given credit for advancing the career of Joseph H. Cole, a Negro who is superintendent of the Department of Recreation.

Cole, who joined the Recreation Department in 1935, has changed the image of the Department.

"We don't want to be all black at the top," said Cole. "But we do want to open up as many positions as possible to Negroes."

He has appointed three Negroes to supervisory positions since becoming superintendent in 1966. They are Jessie Johnson, administrative officer; Samuel LaBeach, assistant director of special programs, and Stanley J. Anderson, assistant director of neighborhood centers.

AVOIDS CONFLICT OF INTEREST

Anderson left his position after being named to the City Council last November to avoid a conflict of interest in city jobs.

An investigation by the Human Relations Council in November found that Negroes held only 20 per cent of the Recreation Department's top jobs, despite making up two-thirds of its employees. The investigation also found that more than half of the Negro employees surveyed had college degrees, but only 37 per cent of the whites held degrees.

"I'm not going to take issue with the investigative report one way or the other," said Cole. "The report is not what I call a complete report."

Cole said that although facts and figures in the report could not be denied, he questioned the meaning of some of the statistics.

Cole complained that the city's Personnel Department was slow in finding qualified persons and upgrading the classifications of positions to attract capable people.

"They're taking entirely too long," he said. "That's a handicap now."

STRETCHED STANDARDS

John Eaton, director of the Personnel Department, said there was a problem in finding qualified Negroes.

"Many Negroes are going into private industry, particularly in the technical skills," he said. "I wouldn't say we have lowered our standards (to attract Negroes)—we have stretched them."

James Murray, in charge of recruiting for the Personnel Department, said, "I think for the most part we're well ahead of the District government agencies in looking for people."

He referred to a vacancy list that is sent out every two weeks to placement agencies and area colleges. Murray also said he had coordinated efforts in the past with the Washington Urban League.

Murray also worked closely with John Duncan in looking for potential Negro job holders.

Steady criticism has been directed at the Departments of Sanitary Engineering, Buildings and Grounds and Highways and Traffic for not having enough Negroes.

Freeway opponents have directed much of their bitterness toward Thomas Airis, director of the Department of Highways and Traffic, charging him with discriminatory hiring policies.

"There is a problem of getting technically trained people," said Airis. "We can't get college graduates in the top third of the class. We get the older people and those who graduate at the bottom of the class."

He added: "I think we have encouraged the hiring and promotion of Negroes. But I want the proper people in the proper jobs."

Since June, 1962, the number of nonwhites in the Department has climbed from 408 to 554. The number of whites has dropped from 976 to 827.

APPEARANCES MISLEADING

At first glance, the recent job picture in the Department of Buildings and Grounds (the agency responsible for care and maintenance of city property) looks as if it had

reached the golden mean in avoiding charges of job discrimination. Of 439 persons promoted in the department between July 1965 and December 1967, 238 were nonwhite.

But of those 238 promotions, 95 were clerical and protective positions of GS-2, GS-3 and GS-4 levels and 79 were in wage board (blue collar) helper and support positions.

Only 8 of 56 were in supervisory positions. James A. Blaser, director of the Department, said, "The situation has been steadily improving. But we haven't had as many Negroes move into administrative positions as we'd like."

He said many top-level Negroes, such as Philip O. Pace, chief of the specification branch, and Harold Biddix, assistant chief of the projects development branch, had been hired in the last five to seven years.

"The number of applicants that we get for some of these jobs is not large in the non-white category," he said. "The competition among the various city agencies makes it difficult to find people."

He said the Department's recruiting program had not attracted a sufficient number of Negro professionals.

Although Negroes compare favorably with whites in numbers in the Department of Sanitary Engineering (575 Negroes, 744 whites), about 300 of the Negroes are garbage collectors.

Before he retired last month as Department director, Roy Orndorff said, "We've had very little expansion in the last ten years. I think we've been open about this. We've tried to avoid discrimination. We've been on the alert for Negro employees, but we haven't had many apply."

CONSIDER OUR MISSION

Orndorff concedes that the Department "could have made more intense efforts to locate them, but we have to consider our mission is to run the Department."

He said that until the last "three or four years" there had not been much effort to find Negro applicants.

Essentially, "normal recruitment channels" had been used, he said.

Clifford Dodd, administrative officer for the Sanitary Engineering Department, said he was developing a college recruitment program that would aim at bringing in Negroes.

POSTPONED MEETING ON SUGAR QUOTAS

HON. W. R. POAGE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1968

Mr. POAGE. Mr. Speaker, for some time it has been planned that members of the Agriculture Committee should meet in informal session with Members and others who are interested in revising the U.S. sugar quotas. This meeting had been scheduled in the Agriculture Committee room at 2 p.m. tomorrow afternoon.

Due to the fact that the presence of the Agriculture Committee members will be required on the floor in connection with the passage of the bill extending Public Law 480 at that time, this meeting will be postponed until the completion of action on this bill. It will, however, take place immediately after the House has acted on this bill.

Although this is an informal discussion and not a committee meeting, it is open to the public and to the press. All are invited.

COMMONSENSE AND THE VIETNAM WAR

HON. ED REINECKE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1968

Mr. REINECKE. Mr. Speaker, recently one of my constituents, an Army veteran who has served in Vietnam, submitted a letter of inquiry concerning the Vietnam war. In my response to him, I observed:

Whether we consider ourselves doves or hawks, I think we all have the same objectives—namely, get the war over, and get the boys home. The difference is, of course, in how we approach the problem.

Within this context, I was especially impressed with an April 28, 1968, Los Angeles Times article by William Tuohy entitled "Doctor Criticizes U.S. Effort To Win Allegiance of Vietnamese." In this article, Dr. Tom Durand, of Boston, who has just completed a 21-month tour of duty in Vietnam as chief health adviser for Saigon, is quoted as saying:

If the Vietnamese never learn to do things for themselves, we will never get out of here.

Now, some would say that this statement is an incisive analysis, a penetrating appraisal, and so forth, which I think is true. But perhaps more importantly, it is a sensible statement by a sensible man. In short, it is good commonsense—commonsense that I would hope is reflected in the administration's handling of this aspect of the war.

Whether our citizens are considered or consider themselves hawks or doves, I submit that we all have the overall objective of honorably ending the war and bringing our young men home. I also submit, without presuming to speak for either the hawks or the doves, that there are certain areas in which there is real agreement concerning the Vietnam war, and that Mr. Tuohy's article perhaps falls within such an area.

With this in mind, I place this article by Mr. Tuohy in the RECORD:

[From the Los Angeles Times, Apr. 28, 1968]

DOCTOR CRITICIZES U.S. EFFORT TO WIN ALLEGIANCE OF VIETNAMESE—DEPARTING MEDICAL ADVISER CITES AMERICAN PROPENSITY TO SUPPORT LEADERS NOT COMMITTED TO THEIR OWN PEOPLE

(By William Tuohy)

SAIGON.—"Our problem in Vietnam," said Dr. Tom Durand, "is that we can't win the allegiance of the people with all the gold in Ft. Knox and all the blood of the U.S. Army."

Durand, an outspoken Boston Irishman, who has finished a 21-month tour here as chief health adviser for Saigon, has observed the U.S. effort here with a cool and discerning eye.

His job has taken him into many a nook and cranny, medical and political. He has looked beyond his immediate purview, and what he has seen does not provide much optimism for the U.S. political performance in Vietnam.

As he departed to become associated director of Massachusetts General Hospital in Boston, the 39-year-old Georgetown University-trained physician declared, more in sorrow than anger.

"The past couple of months have shown some improvement in long needed reforms in Saigon. For the first time, the government of

Vietnam has been struck with the fact that the United States may pull out. The question is why they waited so long to begin doing anything."

BACKS UNCOMMITTED LEADERS

"All too often, it seems to me, the United States has been in the position of being committed to leaders who are not committed to their own people.

"On our side, we have tried to fight an affluent war in a poor society. We have put too much stress on creature comforts for our advisers—on the post exchange, on creating little Americas, with their noisy generators outside of big villas to provide air conditioning. There has been too little of the spirit of challenge and sacrifice that you find in the Peace Corps. Is there really a need for a Japanese tape recorder for every American in the country?"

"We have preached land reform, yet it was the Americans who bought up or rented all the available villas in Saigon, driving real estate prices sky high, and letting a few landlords make millions in profits.

"We have preached other reforms, yet we permitted the government to encourage luxury construction in Saigon when we couldn't find the contractors to build hospitals or dispensaries or schoolrooms.

"We watched high-rise hotels go up, and bars and night clubs, when most of the people of Saigon are living in shanties.

"And who are we to advise the Vietnamese government on administrative and bureaucratic reforms when it takes the U.S. aid machinery here 18 months of red tape to negotiate and approve a simple contract for hospital repairs?"

"There has been a dreadful proliferation of programs, misplaced priorities, middle-level advisers pushing the Vietnamese aside and trying to do things themselves. We could cut the Agency for International Development staff in half and get twice the work done.

"And then we send middle-class girls from Saigon to the United States for four years of training as college-level nurses under American standards. They return to Vietnam, and decide not to work under the conditions that exist in the hospitals here. With their education and English language, they take jobs as secretaries or interpreters for the Americans. That's four years and \$30,000 wasted per girl.

THE 19TH-CENTURY DISEASES

"What is the point in trying to educate Vietnamese doctors on the intricacies of open heart surgery or heart-lung machines when what is needed in Vietnam is treatment for 19th century diseases and basic preventive medicine?"

"Why don't we send Vietnamese doctors and nurses to Taiwan for a three-month course in public health? There, they would learn something quickly that is relevant to conditions in Vietnam. We keep sending the elite to the U.S. and they don't want to come back."

Dr. Durand points out that few U.S. advisers here speak Vietnamese. The bright-eyed, balding, energetic medic picked up a working knowledge on the job and in after-hours classes.

NO LANGUAGE CENTER

"Why send our people to Vietnamese classes in Boston or Hawaii?" he asked. "The place to learn working Vietnamese is in Vietnam. Yet after more than 10 years of our involvement here, there is no intensive Vietnamese language center for Americans in Vietnam.

"We keep saying that Vietnamese problems must be solved by the Vietnamese. This is true. But often the Americans behave as if we will solve their problems. We push them aside and they end up just watching and opting out."

Durand then said emphatically:

"If the Vietnamese never learn to do

things for themselves, we will never get out of here."

Can the combined American-Vietnamese effort with all its past flaws still reach a successful solution?

Durand doesn't pretend to know.

"There have been changes and reforms in the past two months. Do they come too late? Or is this a genuine turning point where the Vietnamese government rises to the occasion? Can the Vietnamese government and the U.S. government close the credibility gaps with their own peoples? Only time will tell—and we don't have much left in Vietnam."

THE LATE "DOC" SATTI, "MR. DEMOCRAT" OF SOUTHEASTERN CONNECTICUT

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1968

Mr. ST. ONGE. Mr. Speaker, the State of Connecticut, and southeastern Connecticut in particular, lost a loyal and devoted son in Dr. C. John Satti, of New London. He died at the age of 72 on Tuesday, May 7, and burial took place on Saturday, May 11.

The death of "Doc" Satti, who was well known under that name throughout the State, came as a shock to me and a deep personal loss. I have known him for many years as a personal friend and political adviser. As a matter of fact, Dr. Satti perhaps more than any other person was responsible for my entering the congressional race some years ago and like the true leader that he was he gave me the support which he had pledged.

The passing of Dr. Satti leaves a void in eastern Connecticut and in the entire State where he was in the political forefront for over 35 years. He was a dedicated worker for programs to improve the American way of life for all its people. This colorful and hard-working man was highly respected by all who knew him.

I wish to extend my deepest sympathy to the members of his family.

Mr. Speaker, I am inserting into the RECORD an article about him published in the obituary columns of the Norwich, Conn., Bulletin on May 8, 1968, and an editorial on the same date published in the New London Day:

[From the Norwich (Conn.) Bulletin, May 8, 1968]

DR. SATTI NOTED DEMOCRAT, DIES

NEW LONDON.—Flags will fly at half-staff Wednesday morning in tribute to the late Dr. C. John Satti, Democratic town chairman, who died Tuesday at 12:30 p.m. at Lawrence Memorial Hospital. He was 72.

Dr. Satti had been hospitalized since March 8 when he was stricken with a cerebral hemorrhage at the home of a son, C. Robert Satti of 517 Alewife Parkway.

The Democratic leader will be buried in St. Mary's Cemetery Saturday morning after rites at Thomas L. Nellan and Sons Funeral Home, 12 Ocean Ave. at 10:15 a.m.

U.S. Rep. William St. Onge is expected to be one of the state dignitaries who will pay last respects to the veteran Democratic leader.

Dr. Satti had served twice as Democratic town chairman from 1934-1955 and from December, 1965 until his death.

From the time of his attack on March 8, Dr. Satti had not regained consciousness.

During his 35 year political career, he served on the New London Board of Education for several years, was secretary of state under Gov. Wilbur Cross from 1934-38, was Second District Unemployment Compensation commissioner in the late 1940's, and held the post of state central committeeman for the old 18th Senatorial District consisting of New London and Groton from 1950 until the legislature was reapportioned.

Dr. Satti was born above his father's candy store on Bank St. in 1895, shortly after his family settled here from Italy.

He attended Nameaug and Nathan Hale Schools in New London and was graduated with the class of 1915 from the former Bulkeley School.

He was attending the Rhode Island State College, now the University of Rhode Island, when World War I broke out.

The doctor joined a group of students and marched from the college to Newport, R.I. Naval Station in Newport, R.I. to enlist in the Navy, but was refused enlistment. He also was refused enlistment in the Army and was not drafted, because the services considered him too short.

Dr. Satti took his internship at Kings County Hospital in New York City and immediately set up a practice in New London.

In 1932 he was one of the electors from Connecticut who cast presidential votes for Franklin D. Roosevelt.

He was the leader of the Young Democrats in New London in the 1920's and was a prime figure in many ward fights in the city.

In 1934 he became town chairman of the Democratic Party in New London and remained a key figure in politics until his death.

In 1934 Dr. Satti became Secretary of State, a position which he held for four years. During his last year in office, he became national president of the Secretary of States Association. He had been a delegate to the Democratic National Convention since 1932, a post which he held continuously with the exception of 1948 when a maternity case kept him away from the convention.

Aside from politics, Dr. Satti was active in the formation of many Italian-American organizations. He was a member of the Elks and a Fourth Degree member of the Knights of Columbus and had held numerous offices in Italian organizations.

Dr. Satti also had been on the board of directors for the Connecticut Medical Society, president of the Yale Alumnae Medical Society, and a member of the Board of Directors of General Practitioners, in addition to many other clubs and organizations.

He was the son of Charles and Maria Danesi Satti, who were among the earliest Italian immigrants to New London.

He is survived by two sons, C. Robert Satti and Dr. C. John Satti, Jr., both of New London; two daughters, Mrs. Harry Butler of New London and Mrs. Harry Neilson of South Bend, Ind.; a brother, Andrew Satti of New London; four sisters, Mrs. William Curtin and Mrs. Alessandro Secchiaroli, both of New London, Mrs. Teresa Noyes of Mason's Island and Mrs. Emma India of Mystic; and grandchildren.

[From the New London (Conn.) Day,
May 8, 1968]

Doc

In the heat of one political battle, Dr. C. John Satti would reminisce about past difficulties. "I remember one night when the Longshoremen threatened to quit us," he'd begin—and then he'd tell a tale that many had heard before, although often there would be some additions and subtractions. Doc never tired of telling the stories and his listeners never tired of hearing them.

These were the times Doc liked best. If a

fight developed over a nomination for office, Dr. Satti usually let the battle rage right up to the night of decision—and often well past the hour when the delegates were supposed to begin deliberations.

As a crowd of party faithful and observers stood around, Doc would begin banging the heads together. He'd flit from one room to another, dragging on a cigarette, running his hands through his hair and, occasionally, making a hurried phone call. Finally he'd get his way and act surprised when reporters wondered about the backroom doings. "Just a few minor matters to straighten out," he'd report with a grin.

Doc Satti was a political in-fighter. He controlled what he wanted to control, what he believed was his territory. Occasionally he'd try to branch out, to exert some pressure on a congressional district level or something similar. But he knew when he was in over his head and he wasn't too proud to pull in his horns and return to his own domain.

But the man who died yesterday was motivated by the democratic ideal that government is of, for, and by the people. To the disadvantaged of his era, the large number of immigrants, who had come here seeking a new life, he was doctor, social worker, legal advisor and teacher who tutored them in reading and writing skills and in government processes. Majority rule was his motto.

The Democratic Party which he took over back in 1934 was in a shambles. In an amazingly short time, it was a revitalized power and the Doc saw to it that it remained the majority party—except in rare instances—right up to the present. That both he and his party remained in power that long is a feat of no mean proportions.

State and National Chairman John M. Bailey, who took turns praising and punishing Doc Satti, once was asked about the secret of the man's success in politics.

"He believes in winning," said Bailey. "It's almost as simple as that."

Bailey never ceased to be fascinated by the state senators Doc Satti would send to Hartford. Bailey likes to recall 1955, when he was informed that 18th District Democrats had nominated W. Duane Lockard, a 33-year-old professor of government at Connecticut College. Bailey got right on the phone to Doc.

"I thought you owed the nomination to . . .," Bailey said.

"I did," said Doc, "but I found out he can't win."

"Can the professor?" Bailey wondered.

"He'd better or we both lose," Doc replied. Lockard won. The Doc had scored again.

LEGISLATURE HONORS JOHN J. KIRWAN

HON. BARRATT O'HARA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1968

Mr. O'HARA of Illinois. Mr. Speaker, by unanimous consent I am extending my remarks to include a news article from the Home Journal of the Virgin Islands with the text of the resolution of the Legislature of the Virgin Islands expressing appreciation of the "invaluable contribution and exceptional services" of John J. Kirwan, retiring Assistant Director, Office of Territories, Department of the Interior, and son of our distinguished, able, and beloved colleague from Ohio [Mr. KIRWAN].

The article follows:

LEGISLATURE HONORS JOHN J. KIRWAN

A resolution hailing the services to the people of the Virgin Islands was adopted unanimously by the Legislature Tuesday. The resolution stated:

"Whereas John J. Kirwan, a native of Ohio, outstanding and veteran public servant, recently retired from the Federal service as Assistant Director, Office of Territories, Department of the Interior; and

"Whereas in the effective and meaningful discharge of the high responsibilities of such latter position required of John J. Kirwan empathy with the needs, problems and aspirations of the peoples of such territorial areas as Guam, American Samoa and the Virgin Islands of the United States; and

"Whereas John J. Kirwan demonstrated throughout his career of service a dedication and devotion to the advancement of these areas, and was always understanding, ever candid and consistently helpful in his attitude and counsel to the people of the Virgin Islands, and in his relationship to their Government; now, therefore be it

"Resolved by the Legislature of the Virgin Islands:

"That the Legislature, on behalf of the people of the Virgin Islands and in recognition of a generosity of attention, advice and assistance received hereby cites John J. Kirwan and through this medium memorializes its appreciation of his invaluable contributions and exceptional services to the well-being and progress of the Virgin Islands and its people.

"And be it further resolved, that a framed copy of this Resolution be presented to John J. Kirwan on an appropriate occasion by the Governor of the Virgin Islands or his authorized representative, and that copies of this Resolution be also forwarded to the Secretary of the Interior and to the Director, Office of Territories, Department of the Interior."

SPEECH BY SECRETARY OF THE NAVY PAUL R. IGNATIUS

HON. L. MENDEL RIVERS

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1968

Mr. RIVERS. Mr. Speaker, under the leave to extend my remarks in the RECORD, I would like to call the attention of the Members to the following speech by our great Secretary of the Navy, the Honorable Paul R. Ignatius. I am convinced that Secretary Ignatius is one of the finest and most capable of all who have occupied this historic position. I have immense respect for him and for his judgment. It is for this reason that I want to share his remarks with a larger audience. The text of his speech follows:

REMARKS BY HON. PAUL R. IGNATIUS, SECRETARY OF THE NAVY, AT THE SOUTH CAROLINA STATE BAR ASSOCIATION ANNUAL BANQUET, CHARLESTON, S.C., MAY 10, 1968

Mr. Whaley, distinguished guests, ladies and gentlemen, the invitation to speak to you tonight was particularly welcome, for it gives the Secretary of the Navy the opportunity to visit Charleston, with all its important naval activities.

This city's naval shipyard has, for decades, provided vital industrial support to the Atlantic Fleet. The Naval Base has served as a hospitable home port and operating base for major elements of that Fleet. It is the Headquarters of the Sixth Naval District. Nearby at Parris Island is the Marine Corps

Recruit Depot which has converted hundreds of thousands of young men into fighting Marines.

Charleston is also headquarters for the distinguished Chairman of the House Armed Services Committee, Mr. L. Mendel Rivers, who has been a vigilant advocate of a strong and modern Navy and Marine Corps. We are grateful and indebted to him.

So tonight, in this most important base of U.S. Naval power, I should like to discuss the growing interest in the development of sea power that clearly has taken hold in the Soviet Union.

For the first time since World War II our free use of the Mediterranean Sea area is being contested. The U.S. Sixth Fleet and NATO Navies have been joined by ships of the Soviet Navy, long known as a submarine Navy, but structured with surface combatants and support ships, as well as submarines. It is a Navy capable of many missions and it is expanding.

One of the significant developments of the past decade has been the growth in size and quality of this Soviet Navy. There are clear signs now that Soviet policy-makers intend to use the capabilities of this new power, and we may be embarked on an era of global maritime importance.

The Soviets, at the end of World War II, already had underway a naval construction program designed to provide numbers of ships to patrol the country's coastlines and to guard the flanks of ground forces deployed in Europe. By 1955, there were 60 short-range submarines, 20 light cruisers, more than 100 destroyers, nearly 300 other submarines of improved characteristics, and more than 1000 smaller vessels.

The emphasis on quantity during this period is perhaps best illustrated by the fact that more than 80 diesel submarines were in various stages of construction in 1955 alone.

By 1955 the Soviets began to envision the possibilities of a broader maritime policy, and the next 12 years saw a change in naval construction toward innovation and quality.

Two classes of Soviet guided missile cruisers—with surface-to-surface, surface-to-air and anti-submarine missiles—have made their appearance in recent years. In addition, two new destroyer classes have a long-range surface-to-surface missile capability, and two classes of missile patrol boats carry short-range surface-to-surface missiles. These are like the Soviet-built missiles reportedly fired from United Arab Republic naval vessels to sink the Israeli destroyer *Eilat*.

The Soviets have also developed and deployed nuclear-powered submarines, both attack and ballistic-missile types. They also have more than 50 cruise missile submarines capable of launching surface-to-surface weapons at targets more than 400 nautical miles distant.

We believe, furthermore, they are now improving their ballistic-missile submarine fleet with a construction program of submarines probably similar to our early POLARIS boats.

The total Soviet submarine force, consisting of more than 350 ships, constitutes a formidable force, and there are indications that the Soviets intend to increase the quality of this force by replacing diesel-powered submarines with more modern nuclear submarines.

Another potentially significant development is their increasing emphasis on an amphibious warfare capability. At the recent 50th Anniversary celebrations in Moscow, some of the 6,000 "Black Berets" in the Soviet Navy were exhibited on parade. These Soviet naval infantry were reactivated as a force in 1964 with unusual official publicity.

Recently we have learned that the Soviets

are building two helicopter carriers. One, the *Moskva*, is at sea; the other is still being fitted out. The ships are about 600 feet long, possibly of 25,000 tons displacement fully loaded.

The *Moskva* and her sister ship could be used either in an amphibious assault role, for anti-submarine warfare, in a command function, or on a combination of missions.

At present, the small amphibious and troop force represented by the Black Berets and such ships as the *Moskva* do not have capabilities similar to what we have in our own Navy and Marine Corps. However, the Soviet effort does seem to indicate an interest in having a capability of this type.

An increase in support ship strength has paralleled this growth in attack capability and thereby extends it. Soviet ships need not return home for minor repairs or food, fuel and ammunition replenishment. They are able now to undertake extended operations on the high seas and in areas of greater distance from the homeland than ever before.

We in the Navy have been watching these trends carefully over the years. It is only with the upsurge of Soviet naval deployments to the Mediterranean, perhaps the clearest reflection of a new emphasis on the sea, that the world at large has become aware of this base of power.

The Soviet Union first undertook modest naval operations in the Mediterranean in 1954. When Soviet-Albanian dissension forced the USSR to abandon a base on Albania's Adriatic coast in 1961, however, the Soviet naval presence in the Mediterranean virtually disappeared.

They reestablished a visible presence in the Mediterranean in the summer of 1964 with the dispatch of a cruiser-destroyer force from the Black Sea Fleet and with the institution of virtually continuous submarine patrols.

Following the outbreak of last year's Arab-Israeli war, the Soviets reinforced their Mediterranean squadron. By July, some 40 ships were deployed in the Eastern Mediterranean, quadruple the number of a year earlier.

Just last September, a new amphibious type (similar to our LST) appeared there, the first time the Soviets had deployed amphibious ships to the area, making it possible to lift the approximate equivalent of a battalion.

This is a diverse force.

With submarines, surface combatants equipped with surface-to-surface missiles, landing ships, minesweepers, intelligence collectors and logistic support ships in the Mediterranean, the Soviet Union can meet a number of contingencies on short notice.

It can attack surface ships with cruise missiles and torpedoes.

It can undertake a limited amphibious landing.

It can temporarily protect or evacuate Soviet nationals, should the need arise.

It can blockade ports, harbors and shipping channels and protect the fleet's anchorages with mines.

It can maintain a considerable naval force independent of land bases.

It can give form to Soviet political decisions.

And, with all this, it is moving to meet Fleet Admiral Sergei Gorshkov's contention of last July that the Soviets "... must be prepared for broad offensive operations against sea and ground troops of the imperialists on any point of the world's oceans and adjacent territories."

The admiral went on to say that the Soviet Navy would thenceforth not limit itself to coastal defense of the homeland, but would support "state interests at sea in peacetime."

As the first sea power of the world, the U.S. is aware of the value of a fleet that can

pursue national interests anywhere on the seas. With naval forces, a nation is able to position armed power to persuade, dissuade, or indicate an interest without commitment or encroachment on foreign soil or territorial waters. For the Soviets, likewise, a Navy fits the pattern of seeking to influence international affairs with a maximum flexibility in decision-making better than any other armed force, and it fits Soviet behavior since World War II.

The Mediterranean apparently is the first testing ground of an expanding Soviet maritime policy. It is based, politically, on an interest in the Middle East and the northern tier of Africa. Strategically, it is consistent with a historical Russian desire to develop access to warm water areas and to the open oceans.

That a wider naval capability has given in-being the Soviets' new confidence and that they intend to use it for political influence is evident in a recent statement of Chairman Brezhnev:

"There is no justification whatever for the constant presence of the U.S. Fleet in waters washing the shore of Southern Europe. One would like to ask: 'What are the grounds, 20 years after the end of the World War II, for the U.S. Sixth Fleet to cruise the Mediterranean and to use military bases, ports, and supply bases in a number of Mediterranean countries?' This poses a serious threat to the independence of all coastal countries. The time has come to demand the complete withdrawal of the U.S. Sixth Fleet from the Mediterranean."

Although the Soviet Union can hardly expect our withdrawal, it does expect to demonstrate that the Mediterranean is not dominated by United States forces. Its method has been to establish a naval presence there and to operate in unique ways.

Soviet forces generally have been concentrated in the eastern half of the basin, though units move throughout the 2300-mile long sea.

Commencing in June 1967, the Soviets have rotated ships in and out of Alexandria and Port Said and since September 1967, have stationed a repair ship and a diving tender continuously in Alexandria. Limited use is also made of commercial—though not governmental—port services.

But the Soviets continue to be cautious in avoiding the appearance of establishing formal bases in the Mediterranean. Their port visits appear to be more related to political purposes, and in the case of Egypt, an effort to give substance to Soviet political support of the UAR, following its defeat last year by Israel.

Many Soviet ships, when not operating at sea, anchor in international waters to rest their crews, care for their equipment, and take on supplies from logistical ships. These anchorages are well spaced and positioned near shipping focal points so that surveillance may continue.

When at sea, the Soviet Fleet trains as our Navy does and carries out a close watch on ships of the Sixth Fleet. This operation is carefully planned. The Soviet AGTs—the intelligence ships—are placed to gain intelligence and to direct Soviet combatant ships to join with and shadow U.S. naval units. They use their cruise missile-equipped surface ships and submarines in the narrow areas and sea openings of the Mediterranean—south of Sicily, near the entrance of the Aegean, and south of Crete and Cyprus—so that U.S. ships, at least in the eastern Mediterranean, are under the Soviet gun just as our own air and surface striking forces cover a broader area of the Mediterranean.

There is no bar, of course, to the operation of our own or Soviet ships in any part of this broad sea, but for the first time since World

War II our freedom in the Mediterranean Sea is being contested.

Also, the Soviets are learning from us. With an intent to expand their capability to operate at sea away from their homeland, it is logical that they should want to learn our methods for the very procedure they covet. As you are aware, the U.S. Navy operates at will over the world oceans through underway replenishment of supplies, fuel, and ammunition. As these operations are conducted in the Mediterranean, the Soviets are moving in close to our ships to observe and to take pictures.

As their expertise is developed in the Mediterranean, their ships already are entering new areas. Most recently, this has taken the form of voyages into the Indian Ocean and port visits to India and Africa. In the past year, it has included excursions into the South Atlantic Ocean with a carefully planned force of submarines and logistic ships designed to give sustaining power without reliance on land bases.

A bolstered—and evidently continuing—naval presence in the Mediterranean gives the Soviet Union increased flexibility in political decisions relevant to the Middle East situation.

The Soviets have introduced their own armed power into the geographic area of dispute and, in the form of a naval force, they are ranged there against the striking power of the U.S. Sixth Fleet.

Though we believe the Soviets will not make defense arrangements that would bind them to take military action in the area, we must be aware that the USSR may be increasingly inclined to deploy its ships specifically in support of client states during periods of regional tension; some of their Egyptian port calls after last June's war were almost certainly in response to Cairo's desire to deter possible Israeli attacks.

In addition, because of their new landing force capability, we must consider that there may arise certain circumstances under which the Soviets would provide a more direct sort of help to clients, so long as the military risks do not seem high and the political risks of inaction do seem great.

Thus, the Soviets have assumed a much greater political flexibility in dealing with the Middle East by deploying naval forces to the Mediterranean. At the same time, they must accept greater responsibility in their political actions because they can now threaten with men, missiles and mines, not just words.

In sum, the Soviets see the region as strategically important—politically, economically and militarily. Their primary aim for the foreseeable future will be, as much as possible, to deny the area politically to the West, and, in particular, to the United States.

But the Sixth Fleet is in the Mediterranean to stay! It has the capability and support to do so. Its purpose is to contribute to peace and stability in the area.

As the recent conflict and continuing armed incidents between Israel and the Arab states show, however, the presence of power alone will not make peace. There must be a desire for understanding and mutual accommodation of differences if conflict and dispute are to be dampened.

What lies ahead will depend, to a large extent, on the purposes of the Soviet presence. If it is designed as a restraining force, the prospects for peace will increase. On the other hand, if it is intended to encourage Arab activism, the possibility of increased tensions may arise.

For our part, we have always been vigilant of political, military and economic activities in the Middle East. We are determined to maintain our presence there, and we shall continue to promote peace.

A TRIBUTE FOR CHARLES CHIAKULAS

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1968

Mr. PUCINSKI. Mr. Speaker, in one sense there is no death. The life of a man on earth lasts beyond his departure. You will always feel that life touching yours, that voice speaking to you, that spirit looking out of other eyes, talking to you in the familiar things he touched, worked with, loved as familiar friends. He lives on in your life and in the lives of all others who knew him.

Early this past Sunday morning, a man died; killed in a senseless highway accident. To me, and to the hundreds of people who knew him, his death was almost too great a weight to bear. His very existence had made all of us better, more alive, and happier because we shared a part of his life.

His name was Charles Chiakulas. He was a good friend to many in this Chamber, as well as countless people in villages and cities throughout the world. Many will tell you of his achievements and his accomplishments in life. There is not one of us who did not feel the force of his warmth and personality, his genuine love for the human race, and his joy in living.

Charlie Chiakulas was my friend, my counselor, my brother. He was Greek and terribly proud of his ancestry. He knew more about Greek history than most professional scholars, and his Greek blood taught him more about the sadness of men, their boundless capacity for good and evil, their inconstancy, their devotion to ideals, their imperfect dreams, their failures and strivings, than any man I ever knew.

There is an all-too-familiar poem about building a house by the side of the road and being a "friend to man." Charlie Chiakulas would never have settled down in that safe little house. His time had to be spent in the dust and bumps of the road itself seeking people to help and a way to secure an equal chance for all men.

Some years ago in Chicago he helped found the Justice for Cyprus Committee—a committee to offer assistance to the refugees and dispossessed of that troubled island. He flew to Cyprus to see what he could do to help. When I was there last summer, I met men and women who remembered the warm-hearted American who gave his heart and his hand in their behalf. He lives today in their memories and in their renewed hopes for the future.

As a young man, before World War II, he began his fight for the laboring men and women of America. At that time it often took uncommon courage to speak out on behalf of labor unions, for industry could resort to reprisals that would deprive a man of his ability to earn a living. The men who helped organize the unions, despite the heavy opposition they faced, were some of the bravest pioneers

this Nation has ever produced. Of all races and creeds, they banded together under the banner of justice and equality of opportunity, and this country was immeasurably advanced by their vision and sacrifice.

Charlie Chiakulas was one of them. In those years he was up long before dawn, meeting workers at factory gates, walking picket lines, fending off the night sticks, clubs, and hatred of men who had spent their lives building a fortress around the status quo.

Charlie was in the thick of it all, encouraging the disheartened, bandaging heads, cooling tempers, trying to find jobs and housing for men who were fired and blacklisted. Little by little, inch by inch, by concession and compromise, the total oligarchy of management was dissolved. And men could at last bargain in good faith for the wages, hours, safety devices, health and accident benefits, they had earned.

It has been said that difficulties are the things that show what men are. Teddy Roosevelt used to say, "The first requisite of a good citizen is that he be able to pull his own weight." Charlie Chiakulas spent every day of his life fighting for man's right to dignity and independence.

This planet we cluster on so uneasily is but a small star in the vast expanse of the universe. But we have the power to make it, and this Nation, habitable and free. There could be a world with no hunger, no fear, no war. The decision rests with each of us. How will we use these precious days of our lives?

Christine Chiakulas, Charlie's wife, and his son, Jim, know better than any the loss we have suffered. Their sorrow is deep. There is little we can say or do to console them. But I hope, in this hour of their grief, they will remember the zest and vitality of the man who loved them and who sought to make the world a better place for all families. I think he would tell them, if he could, that there is a time for tears and sadness, but that we must not let sorrow blind us to the miracle of life that beckons and the work which is unfinished.

As for me, when I think of him and what his help and friendship meant, I see him as he stood with me one election night after a particularly grueling campaign.

The returns were in and our victory was official. Charlie, who had been on his feet for some 20 hours, began to sing an old Greek folksong. Then he called to several of the men—laborers, businessmen, students—and, lining them up, began teaching them a Greek dance that dated back to a faroff time when warriors danced in celebration after winning a great battle.

They stood in a ragged line, eyes shining, their hands clasped around one another's shoulders, with Charlie in their midst, as always. Their ties were loose, their coats scattered on chairs and tables, and they danced and sang louder and louder until the room and the street beyond were filled with their voices, their comradeship, their love of living.

Charlie looked across the room at me,

laughter glistening on his face: "Zito, Roman," he shouted over the din. "Long life, Roman."

Zito, my old friend, Zito, and thank you.

AFRICA'S HIDDEN SHAME

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1968

Mr. SCHEUER. Mr. Speaker, one of the most terrible wars of human extermination in this decade has been going on, almost unnoticed, in Africa—where the armies of the Sudanese Government have been engaged in what is nothing less than a planned campaign to destroy the non-Arab population of the Southern Sudan.

The 7 million Arabized Moslem northerners are engaged in what amounts to a war of genocide against the 4 million non-Moslem, non-Arab southerners.

Even when an entire town of 1,400 people was massacred the news was virtually ignored—as were also the protests of Nigeria and other African governments.

We have witnessed repeated campaigns of genocide in our generation, starting with the evil deeds of Adolf Hitler. We have heard of the horrors of apartheid, and we know of Nasser's declaration that he would "push the Jews into the sea." Here is another example of an Arab League State, following along the same inhuman line of destroying people of a race or religion whom its leaders do not like.

Fortunately, the West German magazine Stern went to the expense of sending reporters to cover this forgotten war a year ago; and, fortunately, the Society for the Prevention of World War III, in its periodical Prevent World War III, has directed American public attention to the evidence concerning this dangerous situation. It is appropriate that in this human rights year, and at a time when we are again forced to reassess the belligerent purposes of the Arab League States in the Middle East, we should pay attention to this additional example of Arab terrorism.

I, therefore, include in my remarks the article, "Africa's Hidden Shame: Arab Genocide Campaign Threatens Survival of Four Million Southern Sudanese Africans," from the winter-spring 1968 edition of the publication, Prevent World War III:

AFRICA'S HIDDEN SHAME: ARAB GENOCIDE CAMPAIGN THREATENS SURVIVAL OF 4 MILLION SOUTHERN SUDANESE AFRICANS

(By a special correspondent)

"Here, Arabs May Murder Negroes."

These words summarize the current tragedy of the Southern Sudan. They also constituted the front cover caption featured by the April 23, 1967, issue of "Stern," mass circulation weekly published in Hamburg, Germany. Equally apt was the subcaption of the story: "The Drama Which Remains Unreported."

The Hamburg publishers, editors and re-

porters are among the growing number of those who may take credit for their share in exposing contemporary Africa's greatest and most awesome international scandal. The genocide rampage of the Sudanese Arab regime, representing seven million Arabized Moslem Northerners, against four million non-Moslem, non-Arab Africans, is engaging growing attention and indignation throughout the world. In Africa, as elsewhere, in the long run, the truth is irrepressible. What is the truth about the Southern Sudan?

Radio Nigeria, over its Lagos transmitter, castigated the Sudan in June, 1963, for efforts at "bullying the south into accepting a thoroughly centralized system, with a single educational program, a single language—Arabic—a single religion, and a single Islamic way of life." Radio Lagos described the Southern Sudanese resistance movement as a "national movement against discrimination and Islamic domination which . . . the Sudanese government represents." Radio Nigeria's comment in 1963 will probably rank as the understatement of the century in the history of modern Africa. In 1965, Northern Sudanese Moslem troops massacred the entire population of the town of Juba, totalling 1,400 men, women and children.

Moscow's hand in the perpetrations of the Sudanese Arab forces is revealed by an eye witness to the Juba massacre: "On July 5th, 1965, Ali Abd-el Rahman, a junior officer in the Sudan Army, had a conversation with a Southerner whom he thought to be a Northerner. He told the Southerner that the Army in the South had received orders from headquarters at Khartoum to kill all Southern Sudanese of the educated classes and on top of the list were members of the Southern front."

This is a quotation from a report by a survivor of the Juba massacre, perpetrated by the Sudanese Army. These gruesome details reminiscent of the Russian Revolution and the Nazi persecutions, were published by the "Voice of the Southern Sudan," organ of the Sudan African Liberation Front, in its issue of October, 1965.

The Sudan Government's systematic effort at murdering off the educated among the Southern Sudanese Africans also accounts for another bloody highlight in the Sudan Race War, the massacre at Wau, where seventy-six persons, attending a double wedding, were killed en masse by the Moslem troops.

In this unequal contest, the Sudan Government's armed might—financed by a gift of \$5,500,000 from the oil sheikdom of Kuwait and with arms supplies from Egypt, Algeria and the Soviet Union—15,000 well-equipped government troops are facing 5,000 starving, ill-equipped, ill-fed, but high-spirited and faith-inspired Anya-Nya resistance fighters, while close to 250,000 Southern Sudanese have fled into neighboring countries, including the Central African Republic, the Congo, Uganda and Ethiopia.

Meanwhile, the Sudan Government is subservient to Arab League fanatics: the Sudan Prime Minister enjoys strutting before the cameras, as conference host to the defeated Arab warmongers Nasser, Hussein, Shukairy.

While brutally pursuing anti-black, anti-African racialism, this Quisling of the Arab League is equally anti-white and anti-Christian: the Sudan's Christian missionaries and clerics, Roman Catholic and Protestant, foreign and native are gone . . . many had to flee for their lives, others were murdered, others died while fleeing, and those who do not belong to any of these categories were expelled. At any rate, none have remained in the country, where Islam has been established in a monopolistic and dominant position. Christian churches and schools have been turned into Moslem religious and Moslem-controlled public school plants, including thirty-two pre-fabricated

buildings furnished by UNESCO for the purpose of combatting . . . illiteracy. The misuse of these internationally financed UNESCO gifts was disclosed in a dispatch from Kampala, capital city of Uganda, some time ago.

A survey of the anarchy prevailing in the Southern Sudan, completed in March, 1966, stated: "The war they are fighting (in the Southern Sudan) has now gone far beyond the stage of politics, beyond even the state of a religious conflict. The Arab is killing the African because he is an African and the African is killing the Arab because he is an Arab. And between the two, the people of the Southern Sudan are caught and held in the web of terror."

During the initial phases of the Sudanese civil war, in 1962, the Northern Moslem military merely endeavored to kill Southern Sudanese males, while women were kidnapped to "supply the brothels of Khartoum and the 'export' market across the Red Sea (i.e. Saudi Arabia and the Persian Gulf sheikdoms)," as disclosed by a London periodical devoted to Mideast affairs.

Egypt's defeat in Yemen and on the Sinai peninsula has not remained without impact on the Southern Sudanese freedom fighters who refer to the end of Arab dominance in Zanzibar as an event which they have learned to appreciate in the light of their own experiences . . .

HIGH SCHOOL GRADUATES, 1968

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1968

Mr. SCHWENGEL. Mr. Speaker, this year there will be about 6,000 high school graduates in the First District.

Each year I send to these graduating seniors a memento which contains a quotation from the writings of Thomas Jefferson.

The memento follows:

TO YOU—A GRADUATE, CLASS OF 1968

My gift to you on your graduation is this facsimile of Thomas Jefferson's advice to a namesake—one of the most profound lessons for life's guidance I have ever read.

"THOMAS JEFFERSON TO THOMAS JEFFERSON SMITH

"This letter will, to you be as one from the dead; the writer will be in the grave before you can weigh it's counsels, your affectionate and excellent father has requested that I would address to you something which might possibly have a favorable influence on the course of life you have to run, and I too, as a namesake, feel an interest in that course. Few words will be necessary with good dispositions on your part. Adore God, reverence and cherish your parents, love your Neighbor as yourself; and your Country more than yourself, be just, be true, murmur not at the ways of Providence. So shall the life, into which you have entered, be the Portal to one of eternal and ineffable bliss, and, if to the dead it is permitted to care for the things of this world, every action of your life will be under my regard. Farewell.

"MONTICELLO, February 24, 1825."

With this memento I offer my congratulations in the hope that you will find in this superbly beautiful prose, by one of the founders of the American tradition, the inspiration that to me is so deep and so moving.

May I suggest that you find time to read and study the lives and teachings of those who had such an important part in developing the rich heritage of freedom and liberty we enjoy in our country.

Sincerely yours,

FRED SCHWENGEL,
Member of Congress,
First District of Iowa.

JOHN S. KNIGHT

HON. WILLIAM H. AYRES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1968

Mr. AYRES. Mr. Speaker, another great honor has come to my fellow Akron citizen—John S. Knight. The distinguished editorial chairman of the Knight newspapers has been awarded the prized Pulitzer Prize for editorial writing.

This award is based on the Pulitzer test of excellence in "clearness of style, moral purpose, sound reasoning, and power to influence public opinion." Certainly all of those who have been readers of the John S. Knight column in the Akron Beacon Journal, the Miami Herald, Detroit Free Press, the Tallahassee Democrat, the Charlotte Observer, and many other newspapers, have long since felt that it is one of the most fearless and vital newspaper columns published in the world.

It has been my privilege, from time to time, to have some of these columns inserted in the CONGRESSIONAL RECORD. My colleagues in this body have often commented most favorably on both their clarity and quality. John S. Knight has through his columns acted as an adviser to Presidents and Members of the U.S. Congress.

The John S. Knight column, "The Editor's Notebook" has been running for 32 years. On its 25th birthday, John S. Knight wrote:

The "Notebook" idea sprang from the conviction that newspapers were becoming as impersonal—in those days—as banks and corporations. With few exceptions, editors of that era preferred ivory tower seclusion and the anonymity of the unsigned editorial.

So why not, I thought, say what was on my mind and prepare to dodge the brickbats. The brickbats have helped keep us alert, the bouquets provide stimulation and encouragement.

The bouquets that have come to the distinguished editor, John S. Knight, from his fellow editors have been many. There has been almost universal approval of his selection for this great distinction.

Under the direction of John S. Knight, the Knight newspapers have assembled one of the finest editorial staffs in modern newspaper history. Ten times, in the past Pulitzer prizes have been given to its members.

This year the Pulitzer Prize Committee has awarded three citations to Knight newspaper members. This is unprecedented.

The staff of the Detroit Free Press received the local reporting award for their

coverage of the Detroit riots and the nationally famed cartoonist, Gene Payne of the Charlotte Observer received the award in his classification.

John S. Knight is one of the most influential writers of our times. He brings his great sense of integrity to every line of his copy.

As I stated earlier, this award to Jack Knight has received great approval by other editorial writers. Perhaps one of the best examples of this is the very fine editorial written by another fine editorial writer, Thomas Noyes of the Washington Star. That editorial follows:

KNIGHT'S TRIPULITZER

In ice hockey, the scoring of three goals in a single game by one player is known as the hat trick. In newspapering, the winning of three Pulitzer prizes by a single newspaper group hasn't got a name, for the ample reason that—until this year—it had never been done in the 52-year history of the prestigious award.

It might, perhaps, be called the hat's off trick.

John S. Knight, at age 74, serves very actively as principal owner and editorial chieftain of the Knight Newspapers. At a time of life when many men are content to sit back and let their thoughts wander through the misty maze of memory, Knight is busy honing his mind against the great issues of the day and setting forth his crisp and forceful opinions in signed editorials. Pulitzer prize number one, for distinguished editorial writing.

The staff of the Detroit Free Press, a major link in the Knight chain, rose to the challenge of the 1967 Detroit riot with clear unhydraulic coverage of the event and a thoughtful probe of its causes. Pulitzer prize number two, for local reporting.

On the payroll of the Charlotte, N.C., Observer, is one Eugene Gray Payne, a young man nobody much outside of the home town had ever heard of. They have now, Pulitzer prize number three, for the outstanding editorial cartoonist for the year 1967.

It is unfortunate that the Free Press has been deprived of some justified crowning on behalf of itself and its sister publications. The newspaper has been shut down by a labor dispute since November. Since they cannot do it themselves, we salute them and the other Knight winners with enthusiasm, a touch of envy and a great deal of admiration.

I know of no single group of men who have merited greater respect than the editorial writers of our newspapers. Their courageous stands on all issues certainly are to be admired by all of us. To be recognized as a leader in this honored profession is truly a great distinction.

I am certain that most of my colleagues join with me in saluting this great achievement of this former president of both the American Society of Newspaper Editors and the Inter-American Press Association, John S. Knight.

So that we all might better understand this great American and his newspapers, I enclose the very comprehensive story in the current issue of Time magazine. It follows:

THE CHAIN THAT DOESN'T BIND

For the first time in the history of Pulitzer prizes, a single publisher, John S. Knight, 73, carried off three of them last week. His Detroit Free Press won top prize for local general reporting, the Charlotte Observer's Eugene

Gray Payne was named best cartoonist, and Knight himself was cited for editorial writing. It was a day of rare honors for a publisher who has not gone out of his way to seek them.

Knight has never fancied himself a domineering press lord. Preferring to call his papers a group, not a chain, he encourages local autonomy, and his papers make the most of it. The Detroit Free Press (circ. 605,000), the Miami Herald (369,600), the Charlotte Observer (177,950), the Akron Beacon Journal (178,147), the Charlotte News (63,772) and the Tallahassee Democrat (29,300) are all increasing their circulation and are highly profitable. With interests in one television and three radio stations as well as three Florida weeklies, the group's total revenues reached \$123 million in 1967, up \$4,000,000 from the year before. Net income, however, was down from \$9,000,000 in 1966 to \$8,000,000, last year, mainly because of the 26-week strike against the Free Press that still shows no sign of ending.

Ruthlessly Local. Authority is generously delegated all down the line at Knight newspapers. Reporters are free to pursue a story as long as they think it is worth it. This has produced some memorable series, including the Free Press's Pulitzer-winning analysis of last summer's ghetto riots. For five weeks a trio of reporters investigated every one of the 43 deaths that occurred during the riots. As a result of the series, three white policemen and a Negro watchman were indicted this month for conspiring to violate the civil rights of eight Negroes held in a motel (two of the Negroes had been shot and killed).

Last month, the Charlotte Observer wound up a searching seven-week report on conditions among North Carolina's poor, both black and white. Reporters Dwayne Walls and James Batten even traveled to Chicago and Washington to discover how North Carolina migrants were faring; most were disillusioned and not doing much better than they had done at home.

Knight's dailies are all locally oriented. "I would rather miss the big national story," says Beacon Journal Publisher and Executive Editor Ben Maidenburg. "The reader is going to get that on TV or the New York Times or the newsmagazines. I would rather get that Rotary Club meeting or the Junior Chamber of Commerce story instead." That fits in with Knight's thinking. "It is our obligation to print a lot of local news," he says. "We do very well at it; sometimes, I must confess, to the point where I feel it is boring." To report this news, the papers hire youngsters fresh from college and pay them reasonably well; otherwise, editorial budgets are lean. In three or four years, reporters generally move on to publications of more national scope.

Dissenters Wanted. Knight encourages all his papers to take strong positions on political issues. They are free to disagree with him and among themselves. In the 1962 Ohio gubernatorial campaign, the Beacon Journal supported Democratic Candidate Michael Di Salle. Editor Maidenburg, who dissented, was permitted to run his own signed editorials backing Republican James Rhodes, the eventual winner.

Knight's home base is in Akron, where he inherited the Beacon Journal from his father in 1933. Every month he travels to one of his newspapers for a day's consultation. He reads all his papers every day, insists that every editorial be initialed so that he will know who writes it. His favorite activity comes each Thursday, when he closets himself in his office and works on his weekly column, for which he won the Pulitzer. Although he is a conservative, he has been a consistent opponent of the Viet Nam war; for the past year, he has written about little else. He is blunt—crusty, even—but never rash. As a man who does not hesitate to speak his own mind, he has made it a firm policy to let others speak theirs.

COMMENCEMENT ADDRESS OF
JAMES D. FINLEY

HON. BASIL L. WHITENER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1968

Mr. WHITENER. Mr. Speaker, it was my privilege to participate in the commencement exercises at Gardner-Webb College, Boiling Springs, N.C., on Sunday, May 12, 1968, at 3 p.m. This splendid institution of learning has had an outstanding year of service to the cause of higher education and public service.

The program at the commencement exercises was most impressive to those of us who had the privilege of being present. Special citations were awarded by the college to four of North Carolina's most outstanding citizens. It was a particular pleasure to me that the faculty committee had selected four of my closest personal friends for these citations. The recipients were Hon. Woodrow W. Jones, U.S. district judge, and my predecessor in the House of Representatives; Mr. R. Patrick Spangler, an outstanding business executive and civic leader in North Carolina; Mr. John L. Fraley, a business and civic leader in our State; and Mr. Thomas J. McGraw, vice president of Gardner-Webb College, and an outstanding servant of the people in religion and higher education.

One of the highlights of the program was the commencement address delivered by James D. Finley, chairman of the board, J. P. Stevens & Co., Inc. Mr. Finley is one of the outstanding business leaders of our country. His record of attainment in the business and industrial life of our Nation is a lesson in free enterprise for all of us.

The message which he gave to the graduates of Gardner-Webb College is one which should be made available to all Americans. I am, therefore, making it a part of my remarks at this point in the RECORD:

COMMENCEMENT ADDRESS OF JAMES D. FINLEY
TO THE CLASS OF 1968, GARDNER-WEBB COLLEGE, MAY 12, 1968

Dr. Poston, esteemed faculty, honored guests, and members of the Class of 1968:

I am very pleased that I have been given the opportunity to be here today to extend to you my congratulations on your achievement and to wish you good luck in the future. During this month and the next, members of the Class of 1968 in some 2,200 colleges and universities throughout the United States will be listening to commencement addresses. Probably all those, like myself, who have been honored with an invitation to speak to a graduating class strive for two objectives in their address: they try to be memorable and they try to be brief—usually in that order. Now you may wonder, as I do, whether there are 2,200 memorable things to be said each year. So in thinking of something to say to you today I decided to strive for brevity first. That way, if you agree with what I have to say, you might be able to remember it more easily. If you disagree, you won't have to listen to it for very long!

Congressman Whitener mentioned that I represent J. P. Stevens & Co., Inc., so my personal pleasure in being here today is increased by the long and cordial relationship between your college and the Stevens Company. Mr. O. Max Gardner, whose name and whose wife's

name identify the college today, founded our Cleveland plant in 1925. The Stevens Company was his selling agent for many years and purchased the plant in 1946. The present office manager of that plant, Mr. John McBrayer, is a member of the Gardner-Webb Board of Trustees. A great many Stevens people are here in North Carolina and in South Carolina, and I know that many members of your families are also members of the Stevens family.

But I believe that Stevens and Gardner-Webb share another close tie: that of two institutions undergoing tremendous growth during the past few years. I know you have been conscious of the growth of this school and campus. As you dodged bulldozers and graders, detoured around open foundations, and tried to ignore the noise of hammering and sawing, there were probably many times when you felt you would be fortunate just to live through it all. Well, you have lived through it, and I think you have come to realize that growth is always accompanied by a few growing pains. Within the next few years, though, when Gardner-Webb has graduated its first four-year class, you will be able to point to this building, the Campus Center and the Stadium, the new Chapel-Auditorium, three new dormitories, and other improvements and say with pride, "I was there when all this was happening!"

But what is it that gives vitality and a strong sense of purpose to this growth? Growth does not occur just for its own sake; there must be a constant ideal guiding and shaping its direction. At Gardner-Webb this ideal has been a regard for the individual. You have benefited from classes which met in manageable number. You have benefited from the concern of teachers who not only know their subjects but who also know you.

It is this concern for you as individuals that I would like to discuss today. Perhaps in a school like this where you have had the benefit of being treated and educated as an individual, it has become so much a part of your daily lives that you have not been able to step back and see what its true importance is.

I am sure you have all had experience with two types of classes: the lecture to a large group of students and the seminar with a small number. Which captured your interest more? In the lecture format, you as a group were presented with facts and opinions and asked to take notes on them and learn them. There was little or no opportunity for you to discuss your point of view, to clear up points you felt were hazy, or to ask your instructor for clarification of an issue.

Contrast this to the smaller, seminar type of class you have encountered at Gardner-Webb. Here you have had an opportunity to add your own thoughts to the discussion, to contribute some of your own experience to the learning process. Your teacher has had an opportunity to aim his comments at your specific questions: to make the subject matter meaningful to you as an individual.

This approach to the student as an individual at Gardner-Webb has the advantage of making the student interested in his own education. By demanding much of you, it has forced you to examine yourself, to drive yourself in your search for knowledge, and to respond to the guidance of your faculty. You have learned that there is more to an education than simply memorizing something, repeating it on a test, and forgetting it. You have been taught to evaluate what you learn, to integrate it into the body of knowledge you already possess, and to make it something with a unique significance to you.

What meaning does this have for you now, as you are about to leave Gardner-Webb? Many of you will be continuing your education, many will be starting your careers. I hope you will realize as you reflect on your college experience, that the most important

thing you can take with you is this concept of yourself as an individual; not as a member of some group. Too often in our society people say, "I'm a member of this political party or that group, so I'll have to accept their particular way of thinking." Thus, they abdicate their responsibility to think and to decide a particular issue for themselves. It is unfortunate that it is so easy to do this in our present-day society and that so many people have chosen this way. They have tried to avoid the responsibility for maintaining their own individuality and have discovered, too late, that they are left with absolutely nothing. Your generation has most frequently criticized mine for this very fault, and, I am sorry to say, in many cases you have been right. Let me caution you now that the same thing will happen to some of you long before the next generation comes to maturity?

But I feel that your generation faces the danger of losing its individuality to a different pressure. Even as I speak to you now, there are people demonstrating for rights, picketing for rights, fasting for rights, even rioting for rights. The public demonstration, the rally, the sit-in, the protest march, all these are forms of mass action which your generation has put in the headlines of today's newspapers and on the screens of all our TV sets.

But where is the individual in all of this? Can we say that the young man in the middle of the seventeenth row of demonstrators is there as an individual? Does this group really say everything he believes and nothing more? Or has he simply subjugated his individuality to serve the cause of the mass, not his own cause? I think the answer is obvious.

I maintain those who have taken to this form of action have misunderstood and underestimated the resources of American society. Our Constitution guarantees the rights and duties of individuals, not of groups. From the very beginning our great men, Thomas Jefferson is a good example, have been esteemed not because they were leaders of factions or interest groups, but because they brought to public life a clear concept of their own individuality and a determination to respect the individuality of others. Our Presidents have only rarely been swept into power at the head of a mass movement. One of the greatest strengths of the American electoral system is that it forces each candidate to face the entire public as an individual; to confront all the people and show them his personal qualities and beliefs. We have never allowed our great men to take refuge under a party label and come to power without giving us a chance to see him act as an individual.

There are those who say that this is all very well and good, but that those days are gone forever. Modern society, they say, is too large and too complex to take time to listen to the individual, to evaluate him, or to guarantee his individual rights. In short, the mass must be served. According to them, the best we can do is balance the opposing interests of groups and the most effective way to make your voice heard is to join a group of several thousand and march back and forth in front of a building.

The answer I would give them is that the fault is not in our society, but in the fact that so few people really know how to be individuals and to make their voices heard as individuals. Too many are afraid to speak unless they are assured of the support of a group; too many would rather place the safekeeping of their rights and liberties in the hands of others.

I promised you brevity and you shall have it, but if I could leave you with one thing to remember, it is this: never forget the principles of individuality you have learned here. Think, vote, act, and live as an individual throughout the rest of your life. Bear it in mind when you deal with others, too, both of you will gain from it. Strive to over-

look group labels when you deal with them, for when you ignore or diminish another person's individuality, you ultimately endanger the value of your own.

Our society needs this contribution from your generation, and those of us from my generation look forward to an infusion of new energy and insight from you. Individuality, like anything else worth preserving, is not easy to achieve or to maintain in today's society. But it is by no means impossible. I personally believe that young people like yourselves, if this class is typical of your high standards, are more than equal to the task.

A NEW OPPORTUNITY FOR CATHOLIC EDUCATION—AN ADDRESS BY HAROLD HOWE II, U.S. COMMISSIONER OF EDUCATION, ANNUAL CONVENTION OF THE NATIONAL CATHOLIC EDUCATIONAL ASSOCIATION, SAN FRANCISCO, CALIF., APRIL 18, 1968

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1968

Mr. BRADEMAS. Mr. Speaker, under unanimous consent I insert at this point in the RECORD the text of a most thoughtful address delivered on April 18, 1968, before the annual convention of the National Catholic Educational Association in San Francisco, Calif., by the distinguished U.S. Commissioner of Education, Harold Howe II.

Commissioner Howe's address, entitled "A New Opportunity for Catholic Education," follows:

A NEW OPPORTUNITY FOR CATHOLIC EDUCATION
(Address by Harold Howe II, U.S. Commissioner of Education, Department of Health, Education, and Welfare, before the annual convention of the National Catholic Educational Association, San Francisco, Calif., April 18, 1968)

With the exception of segregation, the church-state issue is doubtless the most controversial question in American education today. Hence you will understand my reluctance even to bring the matter up. Yet I cannot repress the conviction that the citizens of the United States owe the Roman Catholic Church a profound debt of gratitude. For the last decade, you and your coreligionists have provided the rest of us with a striking example of free spirits and open minds in action. Your activities have been both inspiring and fascinating.

We watched with considerable awe as Pope John and Vatican II changed the church more in two years than it had changed in the previous 200; and as a Federal bureaucrat, I listened with wry sympathy as one bishop plaintively wondered how anyone could consider the Catholic church a monolithic institution. "Monolithic!" he snorted. "This outfit is barely coherent!"

Things seem to have quieted down in the church by now—which is to say that crisis has become run-of-the-mill. And in this regard, Catholic education exemplifies the condition of American education in general.

What I would like to do today is to specify the nature of the education crisis, for there is too much easy and sometimes inaccurate talk about the "crisis" in our schools and colleges. Then I would like to discuss evolution—the evolution of institutions in general, and of the Catholic educational system in particular. Here it will not be so much concerned with where Catholic schools came

from, as with where this history suggests they might go, and with the adjustments that a successful journey will require. The purpose of my remarks is to raise one question: what can Catholic education do for our education crisis while it struggles with its own crisis of resources?

THE "EDUCATION CRISIS"

First of all, it seems to me important to pin down the nature and extent of this "education crisis" we hear so much about. Much of American education is in good shape. The fact is that the United States provides more of its children a better education than most other nations on earth.

But just as you can add the annual income of a millionaire and a pauper, divide by two, and come up with the information that their "average" income is \$500,000, so can data on the "average" American school conceal sharp disparities. The American educational system, both private and public, is highly class-bound in its delivery of knowledge. It takes good care of children from middle- and high-income families, but—largely for reasons not of the schools' own making—it slights the children of the poor. Youngsters from poverty families start school later, leave school earlier, and learn less than their more fortunate peers.

In recent years, the Federal government has begun attacking this link between low economic status and below-average scholastic performance. The largest single Federal program for education is Title I of the Elementary and Secondary Education Act, which channels more than a billion dollars a year into school districts where there are high concentrations of low-income families. About \$35 million of that amount went to private schools last year. In a few weeks, we expect to have our second annual report on Title I. I think it will show that the taxpayers' money has been well invested, that this program is making a difference.

But the report will also highlight some of the problems revealed by our partial successes and partial failures. One of the most serious of these arises from the educational necessity for concentrating Title I funds and the political necessity of dispersing them. It seems clear at this point that if we are to improve the quality of a culturally deprived youngster's education, we must make a massive additional investment in his schooling.

We know that we can get more educational impact from Title I funds if we concentrate them—if, instead of giving 10,000 youngsters one hour of remedial reading each week, we give 1,000 of them 10 hours a week.

But who can make such a decision? No local school superintendent can be expected to exclude 9,000 needy students from a program so that 1,000 will get as much help as they need. Moreover, this kind of decision passes beyond the sphere of education into that of morality: if the hot lunch a youngster receives at school is the only decent one he has all day, should we eliminate that meal even though it does not improve his reading?

I think not. There are only two broad solutions to redeeming the urban and rural poor from educational failure: first, get more value from the resources we already have; second, bring more resources to bear.

PRIORITIES

The first matter calls for priorities, for ranking in order of importance a number of educational techniques that seem particularly promising. Several weeks ago, in an address to the American Association of School Administrators in Atlantic City, I offered a six-point program to get at the problems of educationally deprived children; and even though some of you may have been in that audience, I am tempted to inflict it on you again. In an ecumenical spirit, however—which means that no Protestant should keep Catholics fixed in their seats beyond lunchtime—I will present my list of priorities in

summary fashion. Let me add that the mimeograph machines of the Office of Education grind exceedingly fast, and we will be happy to supply the earlier and complete text to any of you who write for it.

First, a renewed emphasis on pre-school education. Such evidence as we have indicates that the level of intellectual capability young people will achieve at 17 is already half-determined by the age of four, and that another 30 percent is predictable at seven years. This being the case, wisdom in the use of our educational resources warrants a nationwide stress on schooling for children four years old and perhaps even younger—particularly culturally deprived children, whose homes deny them the educational background that middle-income homes provide. Focusing a significant proportion of our educational investment on pre-school and kindergarten programs might enable us—10 or 15 years from now—to reduce our investment in the later years of high school.

REDUCE THE ISOLATION OF THE SCHOOLS

Second, we must reduce the isolation of the schools. Children spend only six hours a day in school, five days a week. For better or for worse, however, they continue to learn during the other 10 waking hours, and unless this "outside" education reinforces school work, even the finest school and the finest staff can fail to improve a youngster's achievement. If they are to succeed with children whose needs are so great, poverty schools must stretch their resources through alliances with all the other forces in the community that can advance the learning enterprise.

Especially in the big cities, this means some degree of decentralization, converting the school into a community resource that offers adult instruction and provides a center for the organization of community activities. It means a school whose doors are open nights, weekends, and summers, and school officials who seek out new forms of cooperation with the Mayor's office, the Community Action Agency, and other local authorities.

Third, the secondary schools must end their isolation from the world of work. Such isolation may do little harm in the suburbs, where high-school graduates are destined to attend college like it or not—but it harms youngsters who must make the transition from school to job in their teens. American educators have typically put vocational education low on their agenda. We must bring it to the top. We need a better answer than we have now to the question, "What does the school do for the 80 percent of its students who do not obtain a Bachelor's degree?"

Fourth, we must emphasize the training and retraining of teachers. More than anything else, culturally deprived children need a new breed of teachers who understand them and start with what they can do, rather than confronting them with tasks which automatically make them failures. At the same time, these teachers must have high expectations for children and infinite patience in seeing those expectations realized.

Developing such teachers requires that schoolmen take a much more active role in training the teachers of the future, as well as in retraining those we already have. Each school system can use its outstanding teachers now to train others, through flexible arrangements that permit less experienced teachers to work with the most experienced and proficient. Teaching is like tennis. You learn to do it better by doing it with someone who is better at it than you are.

The fifth program-component that we ought to stress is individualized instruction. We must remove the straight jacket that our administrative groupings impose on children and allow each to proceed at his own pace, neither holding back the gifted nor forcing the slow. We have paid lip service to this

idea for years. Now that we have the means to put it into action, we must do so.

The sixth and last recommendation may be the hardest to achieve—racial integration of the schools. We know that the success of a child is affected by whom he goes to school with; that children learn as much from their classmates as from their teachers—maybe more; that a child's feeling about his chances for success in life are diminished by attending a segregated school. We know also that there is a strong connection between this feeling, this "self-image," and what he actually achieves in school.

Knowing these things, we educators must keep school desegregation on our agenda, refusing to back away from the job just because it is so difficult. We must keep chipping away at the barriers to desegregated schooling—not just for the sake of minority group children, but for the sake of white children as well, and for the sake of a healthy community. In America there can be no such thing as high quality, totally segregated education.

WHAT ABOUT THE PAROCHIAL SCHOOLS

What have these recommendations, originally addressed to public school administrators, to do with the parochial schools? Without a doubt parochial schools can go to work on this list of priorities just as effectively as public schools. But the more important point I want to raise is that Catholic schools have a number of characteristics that specially fit them to make a major contribution to the improvement of American society by determining to make a major new effort to improve urban education. Three particular characteristics are of special importance:

First, the Catholic educational system is mainly metropolitan in nature. For historical reasons having to do with immigration patterns, your clientele—and hence your schools and colleges—are concentrated in the major cities and their suburbs.

Second, while Catholic education most adhere to standards set by various regional and State accrediting bodies, it operates outside the political system that sometimes prevents public school superintendents from doing what they know to be the wisest thing for education. In effect, the parochial system is relatively free from the restraints of state educational policy—much of which, devised to serve rural areas, ignore the realities of the central city in the latter half of the 20th century.

Third, the political boundaries of the parochial school system—the 147 dioceses of the American Catholic Church—comprise both cities and suburbs, thus permitting a metropolitan approach to educational problems.

These three characteristics fit the Catholic educational system to join the public system in improving urban education, and they give it some possibilities for elements of leadership. Their freedom from many political restraints, their concentration in urban areas, and the metropolitan character of their organization enable Catholic schools, colleges, and universities to move together with a daring that may be denied to public education officials. You can mount experimental programs without the slow process of seeking formal public approval; you can reach for desegregation without fearing retaliation at the ballot box—though you may encounter it in the collection basket. By refusing to abandon the inner-cities as your traditional clientele moves to the suburbs, you can serve an American society that has not yet overcome the political fragmentation and economic myopia which make our cities powerless to help themselves. Indeed, you can seek new adventures of cooperation with public schools, if you can locate school leaders who are unafraid to challenge some of the unconstructive assumptions of traditional church-state separation. Leaders of this character are emerging in at least a few cities.

In response to such a suggestion from a public official, Catholic education officials might well ask, "Why?" Why should Catholic education, which received precious little help from the public sector on its own financial problems, expend its resources to accomplish a social redemption that may properly be called the responsibility of public agencies? Why should the Catholic parent, who supports his own parish school and at the same time supports public education with his taxes, dig even deeper in his pocket to educate non-Catholic children in the ghetto? Why, when every request from Catholics for public aid raises a new hue and cry from non-Catholics about church and state, should Catholic institutions try to do their part to bail out the public sector?

CATHOLIC EDUCATION

To answer these questions, I will embark on a somewhat shaky foray into history and the rationale underlying Catholic education. In the process, I fully expect to raise some tempers. I do not claim for my remarks any ultimate wisdom; indeed, I anticipate that I may say some questionable things. But it seems to me important today that all educators run such risks, for our conventional wisdom has so far proven unequal to the social problems that face us; it may be time to hazard a hunch or two and see what happens.

Catholic education emerged partly as a defense against a public education that was clearly Protestant, even anti-Catholic, in nature. The public schools did not merely ignore the Catholic belief of some of their students; they were positively hostile to it.

That time has passed. Though some schools in certain regions of the U.S.A. retain a definite tincture of militant Protestant feeling, I think it fair to say that most American public schools today are neutral toward religion. This being the case, I think one might argue that one of the original motivations for the establishment of Catholic schools has disappeared. And lest this statement sound like an outsider's improperly poking his nose into your business, let me quote an insider.

In 1890, in an address to the National Education Association, Archbishop John Ireland had this to say:

"I am the friend and the advocate of the state school. In the circumstances of the present time I uphold the parish school. I do sincerely wish the need of it did not exist. I would have all schools for the children of the people state schools."

If Archbishop Ireland's reason for upholding the parochial school was "the circumstances of the present time"—that is to say, the anti-Catholic tendency of public schools in the 19th century—and if that bias has disappeared, what is the reason for parochial schools now?

I do not mean to suggest, even by implication, that Catholic education be scrapped. If it were, public education in many parts of the country would be in serious trouble. Moreover, as Father Greeley and Dr. Rossi point out in *The Education of Catholic Americans*, "... being for or against a school system with over five million students is like being for or against the Rocky Mountains; it is great fun, but it does not notably alter the reality."

PRIORITIES AND CATHOLIC EDUCATION

Rather I would argue that an examination of priorities is in order for Catholic education. American Catholic education has in a major way succeeded. It has transformed a predominantly immigrant class, poor and discriminated against, into an affluent population indistinguishable from its Protestant neighbors in any way except religious belief. They have followed their Protestant fellow-citizens to the suburbs; they have bought power-mowers and a second car and backyard barbecues.

In these circumstances of social and eco-

nomic parity, I question whether the single distinction between parochial and public schools—the provision of religious instruction—justifies the continuing establishment of a highly expensive, dual school system in the suburbs when our cities and their schools are so dangerously close to disaster.

Religious instruction is a worthwhile end in itself. It need not be defended on the ground that another way of belief is warring against it, nor does it lose its justification as religious hostility vanishes. But I believe that religious instruction can be effectively carried forward without, at the same time, demanding of Catholic parents that they finance instruction in geography, arithmetic, science, and driver-training as well. Greeley and Rossi report that Confraternity of Christian Doctrine classes for Catholic students in public schools have had only modest success. To that I would reply—along with many Catholic educators—that what George Bernard Shaw said of Christianity is true of CCD: it's a fine idea, but it's never been tried. It has never been financed adequately, and it might well succeed if it received a portion of the funds now going into new parochial schools in the suburbs, into Catholic swimming pools and Catholic football uniforms.

This is not an either-or argument. It is a question of priorities. If all of American education were adequately financed, there would be no need for Catholic education to address itself to urban needs.

That is not the case. Many suburbs can take care of themselves—but our cities need help, and Catholic education can provide a share of that help. I realize the financial problems that Catholic education faces, and that in some areas, it appears to be on the fiscal ropes. Yet I wonder whether Catholic education serves its own self interest or the National interest by borrowing to build in the suburbs while our cities cry out for help.

Do good public schools make bad Protestants? I doubt that many of you would feel comfortable arguing so, and I doubt that good public schools make bad Catholics, either. It seems to me that a growing portion of the Catholic investment in education might go to the cities—not only for the good of the cities themselves, and for the good of American society, but for the good of the American Catholic church as well.

I add this last clause because I think that American Catholic education has reached a new stage in its evolution. It began as an immigrant system; it is one no longer. If it is to flourish, it must—like any other successful organism—adapt to changing circumstances; it must meet the social and intellectual challenges put forward by an evolving nation, an evolving world, and an evolving American Catholicism. It must look to its intellectual underpinnings, to its reasons for being—for the old ones seem to be losing some of their validity.

PROBLEMS FACING PAROCHIAL SCHOOLS

You see the signs of trouble better than I: problems with financial resources; major criticism of the parochial schools; declines in attendance which, though modest, are striking in view of the increasing numbers and affluence of the Catholic population; growing dissatisfaction among younger priests and nuns, and growing difficulty in attracting young people to the religious life; an apathy among college students toward the traditional activities of their religion, and a consequent striking-out in harmful as well as wholesome ways for new meanings that may or may not bear the formal insignia of Catholicism.

Such problems are perhaps more visible in Catholicism, but they puzzle churchmen of every denomination, leading them to seek the reason why. Is it because our young people crave comfort, and reject the discipline, the necessary sacrifice and self-denial of religious belief?

I would say not. I believe, on the contrary,

that many of the most able young people of our time have come increasingly to reject organized religion precisely because the churches in America—Protestant, Jewish, and Catholic—are such a thumping success. And if the Christian message in our time seems increasingly to go unheard, if organized religion seems to evoke as much cynicism as enthusiasm from those under 30, it may be because the churches—while preaching a denial of worldliness—have too often embraced it, have profited from it, have accepted "the American way of life" in its most superficial, materialistic sense.

I would wonder whether the current turmoil and rejection of traditional religion among younger persons represents not a craving for a more comfortable way of life, but rather disappointment over the apparent dissipation of that brilliant vision of service that religious commitment has traditionally offered. I would question whether such organizations as the Peace Corps, Vista, and Teacher Corps do not represent—for young atheists, Jews, Christians, the uncommitted—that very appeal to selflessness that Christianity once held out to those who prefer worthwhile adventure to organized security. And I would ask, finally, whether preoccupation with success and the successful on the part of Catholic education in the United States might not very well represent the gravest threat to its continued health.

If Catholic education is to retain its vitality, it must remember that its prime reason for being in the circumstances of our time goes back much further than John Ireland or John Carroll, further back than the founding of the American Republic, further back than the Protestant Reformation, or Aquinas, Augustine, and the early Church Fathers.

Catholic education draws its basic reason for being not from the American situation, but from the basic Christian message: love God; love your neighbor. Whatever other functions circumstances might give religious education at one time or another, in one country or another, Catholic education must be judged by its success in exemplifying human concern for other humans. And if Catholic schools and colleges raise up a new generation of young Americans with a firm belief in God and a detailed knowledge of doctrine, they will have realized only half of the opportunity that beckons them. They will have failed to grasp the additional opportunity of reaching out to serve those members of our society who most need help—those members, those neighbors, who are not necessarily Catholic.

EDUCATING THE URBAN POOR

In urging that Catholic educators take upon themselves a part of the burden of educating the urban poor, I recognize that I advocate a course which—from the economic standpoint—is dubious. But if our churches ever test their efforts against the single standard of fiscal prudence, they will work themselves out of existence. We have plenty of banks in America, and together with the Bureau of the Budget in Washington they provide all the fiscal prudence we need—perhaps more.

Christianity is supposed to offer something more. "Let us be fools for Christ's sake," said St. Paul. This was the kind of statement that the Reverend Martin Luther King understood, and—by rejecting an easy prudence and espousing a life of uncontaminated idealism—he built a majestic dream.

He is gone, and both the American reality and the American dream are poorer in consequence. We badly need high-minded visionaries who can help the poorest of our children see a new dream and fashion a better reality. For our Nation's sake, Catholic education must join the rest of education to give them a new horizon.

DISTRICT OF COLUMBIA HELICOPTER SERVICE

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1968

Mr. PICKLE. Mr. Speaker, it was with keen disappointment that I learned last week that an initial decision by the Civil Aeronautics Board found that public convenience and necessity does not require the authorization of scheduled helicopter service in the Washington area.

In my opinion, there is a definite need for such service from a comprehensive area transportation standpoint, and the initial decision to defer certification of this service may well represent a step backward instead of a step forward in the solution of area transportation needs.

There can be no argument that there are pressing problems in ground congestion at National Airport and certainly a scheduled helicopter service would have served as an important function in shifting airline flights from National to Dulles and Friendship.

Certification of a scheduled helicopter service will do much to relieve congestion at National and at the same time make more use of the ultramodern facilities at Dulles.

I favor the helicopter link and have worked actively through the Transportation and Aeronautics Subcommittee of the Commerce Committee with my chairman, the Honorable SAM FRIEDEL, to help turn this idea into proposals with definite shapes.

I am hopeful that the Washington-Baltimore helicopter service investigation will not wither and die on the vine and that the Board will find occasion to review these preliminary determinations.

I note also that my feelings regarding the commuter helicopter service are also shared by the Washington Evening Star and I place the Star's Saturday editorial "Commuter 'Copters" in my remarks at this point:

COMMUTER 'COPTERS

There is no end of constructive speculation in the aviation trade about the logic of helicopter use in the urban transportation dilemma—especially in terms of the mounting human congestion at metropolitan airports.

Some months ago, moreover, the Civil Aeronautics Board received applications for scheduled helicopter service in the Washington area from no less than five aspiring operators. One pitch was from a consortium of 10 major airlines, requesting permission to provide at least 24 round trips daily linking National, Dulles and Friendship Airports—and eventually downtown Washington—at fares which did not sound exorbitant. The proposition struck us at the time as an extremely welcome display of airline initiative. The concept, moreover, has won favor with the Department of Transportation.

So what happens? After due consideration, CAB Examiner William J. Madden has concluded that there is no present need for such services in the Washington area, and therefore has rejected the appeals.

Among other things, in Madden's view,

the proposed services would amount to "a luxury for a relatively few users"—a clientele so selective as not to warrant "financial assistance, regardless of the source of the assistance."

In regard to latter point, the government's coolness to such overtures in the past has generally been viewed as a desire to avoid federal subsidies, which have assisted helicopter programs in other cities.

One of the major attractions of the current proposals, however, was a clear private obligation to absorb deficits initially required—at no cost to the government. That being the case, the finding of the examiner makes no sense whatever. It ought to be reviewed and reversed.

It may well be true that commuter 'copters are not a major answer to the problems of moving massive numbers of people. In our own area, for example, they are surely no substitute for an effective system of rail transit. But what of that? There is surely a role for this means of transportation—which will never be defined unless someone looks for it.

CAMPUS COERCION

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1968

Mr. RYAN. Mr. Speaker, on May 9, I was one of 54 Members who opposed an amendment to the Higher Education Act to bar students or employees who disobey university regulations from receiving Federal scholarship and loan funds. I also opposed a similar amendment restricting National Science Foundation grants, when it was included in the independent offices appropriation bill on May 8.

The serious objections to these amendments are well stated in an editorial from the New York Times of May 13, entitled "Campus Coercion," which I commend to my colleagues:

[From the New York Times, May 13, 1968]

CAMPUS COERCION

The threat by the House to punish rebellious college students by cutting them off from Federal loans and scholarships is a dangerous excursion into political primitivism. The disregard of campus democracy by a minority of disruptive and irresponsible students at Columbia and elsewhere in no way justifies such Congressional vendettas in direct conflict with democratic freedoms. Campus stability must be safeguarded by sound reforms on the part of the academic community and by enforcement of its own democratic rules, not by governmental threats of fiscal sanctions.

It is deeply disturbing that so many politicians appear to think of Federal subsidy of students as an indulgent uncle's benefaction. In reality, the extension of educational opportunities is at least as vital to the future health of the nation as it is to the personal careers of individual students. But, more important, to turn Federal stipends into a device to regulate student views and behavior is to stoop to methods generally associated with totalitarian states. Such action can only give support to those extremists among today's students who charge that the campus is doing the mercenary bidding of a repressive establishment.

Federal interference with higher education is an intolerable violation of academic freedom. To permit such intrusions would under-

mine the nation's security far more severely than the disruptive insurrection of irresponsible youths.

THREE MARYLANDERS KILLED IN VIETNAM

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1968

Mr. LONG of Maryland. Mr. Speaker, Spec. 4 Gary E. Canapp, 1st Lt. Karl L. Bullard, and 1st Lt. Donald J. Mattaro, three fine young men from Maryland, were killed recently in Vietnam. I wish to commend their bravery and honor their memories by including the following article in the RECORD:

THREE MARYLANDERS DIE IN VIET WAR—SOLDIERS CAME FROM CITY, CHURCHVILLE, LANGLEY PARK

Three soldiers from Maryland, including a 19-year-old Baltimore youth, were killed in Vietnam, the Defense Department announced yesterday.

They are:

Spec. 4 Gary E. Canapp, 19, son of Mr. and Mrs. Robert E. Canapp, 5110 Kenwood Avenue.

1st Lt. Karl L. Bullard, 20, son of Mr. and Mrs. Ralph G. Bullard, Carson's Run Road, Churchville.

1st Lt. Donald J. Mattaro, Jr., 23, son of Mr. and Mrs. Donald J. Mattaro, Sr., of 1710 Merrimac Drive, Langley Park.

LESS THAN 3 WEEKS

Specialist Canapp had been in Vietnam a little less than three weeks when he was killed in a foxhole Tuesday by small arms fire, his father said yesterday.

A member of the 173d Airborne, Specialist Canapp enlisted in the Army in September, 1967. He had been graduated from Oakley High School last June.

Mr. Canapp said his son wrote that Vietnam was a "beautiful place" and that he was fighting in a different area every day. He said his son planned to reenlist in the Army and go back to Vietnam.

LEFT ON EASTER

The youth trained at Forts Bragg, Gordon and Bennett before being sent overseas. He left Baltimore for Vietnam on Easter.

Besides his parents, Specialist Canapp is survived by four brothers, Robert E. Canapp Jr., Roy, Craig and Keith Canapp; four sisters, Mrs. Patricia Engle, Phyllis, Nancy and Cindy Canapp; his paternal grandparents, Mr. and Mrs. Sherman Canapp, and his maternal grandparents, Mr. and Mrs. William Kurtz, all of Baltimore.

DIED IN SAIGON

Lieutenant Bullard died Monday in a Saigon hospital of wounds received in action, his mother said. A patrol leader in the 503d Airborne, he had been in Vietnam since October.

A graduate of Bel Air Junior High School, Lieutenant Bullard went to high school in Florida. He enlisted in the Army in April, 1966, after attending Dade Junior College in Florida.

Mrs. Bullard said her son received his basic training at Fort Benning and then was sent to Officers Candidate School. He went to Panama for jungle training and then to Fort Bragg, where the 503d, a new outfit, was being formed.

Lieutenant Bullard had wanted to go into

EXTENSIONS OF REMARKS

the 82nd Airborne where his father had served from 1942 to 1951. Mr. Bullard retired in 1964 as a master sergeant after 23 years in the Army.

HEAT AND RAIN

Mrs. Bullard said she had received a letter from her son a week ago apologizing for not having written in the last month because he had been on four fire missions. He wrote that the rain was heavy and said he did not know which was worse, the heat or the monsoon.

Lieutenant Bullard planned to make a career in the Army and had extended his tour in Vietnam for another six months.

His mother said he felt he was doing something that was necessary, but felt sorry for the Vietnamese people.

Besides his parents, Lieutenant Bullard is survived by a brother, David, of Baltimore, and a sister, Mrs. Barbara Soliday, of Miami, Fla.

UNDER HEAVY FIRE

Lieutenant Mattaro, who had been in Vietnam since July, 1967, planned to be married August 30, his father said. A member of the 1st Cavalry Division, he was killed by a mortar shell under heavy fire Wednesday.

DISORDER IN THE HOUSE

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1968

Mr. ROSENTHAL. Mr. Speaker, it is unfortunate when the legislative process becomes closely tied to the morning's headlines that actions are taken in haste and with insufficient deliberation.

I fear that the House fell into that tempting, but dangerous trap, last week when it expressed its indignation at student riots by acting with an abandon appropriate to a student, but not a legislative body. This is another ill-conceived retaliation to events from which cooler heads must save us.

The New York Post showed a better perspective when it commented on the House's action in this editorial:

DISORDER IN THE HOUSE

Incensed by turbulent disorders and demonstrations at Columbia and elsewhere, a throng of legislative sit-ins has run riot in the House of Representatives—haranguing at length, flinging law into the air and finally voting to deny federal aid of any kind to college students or faculty who participate in riots or disruption.

The Washington demonstration was at least as sophomoric as anything it crudely intended to control. The law could not be enforced. It could not be reconciled with the principle of academic freedom to manage internal affairs. The House bill is, in fact, the kind of threat of federal interference with education which Congressional conservatives—doubtless including many who supported this bill—never tire of invoking when education-aid bills are debated.

The House bill is even more extreme than the similarly hysterical measure approved by the New York State Senate this week, which would bar state aid to students convicted of crime—even "unlawful assembly"—on campus. Assembly Speaker Travia (D-Brooklyn), to his credit, "completely disapproves" of the bill. We hope leaders of the U. S. Senate will take the same view of the House version.

May 13, 1968

MARY LYNN DONOHUE: AN OUTSTANDING YOUNG AMERICAN

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1968

Mr. STEIGER of Wisconsin. Mr. Speaker, on Thursday, May 9, 1968, Mary Lynn Donohue, of Sheboygan, Wis., was presented with the Young American Medal for Service for 1966 by President Johnson at a White House ceremony.

It was my privilege to attend this ceremony and to watch as President Johnson commended Mary Lynn and the two other Young American Medal recipients and pinned on the symbol of their service.

Mary Lynn received the award in recognition of her leadership and service to her community, State, and Nation. Her accomplishments are many, and as President Johnson pointed out:

You are a credit to your generation and an inspiration to your President and to your country.

I am proud of Mary Lynn for her dedicated service to others and want to call to the attention of the House this young woman's record of accomplishments.

I include as a part of my remarks, Mr. Speaker, two articles from the Sheboygan Press on Mary Lynn Donohue:

PRESIDENT PAYS TRIBUTE TO MARY LYNN DONOHUE

WASHINGTON, D.C.—Smiling sweetly and humbly saying, "Thank you, Mr. President," Mary Lynn Donohue of Sheboygan was presented with one of three Young American Medals by President Lyndon B. Johnson Thursday.

Presentation of the medals, for bravery and public service, gave Mr. Johnson, in his own words, "a chance to honor courage on the homefront instead of the battlefield."

"You are a credit to your generation and an inspiration to your President and to your country," he told the trio.

Besides Miss Donohue, 18, leader of several volunteer youth programs in Sheboygan the recipients were William G. Glynn III, 16, of Westbury, N.Y., who rescued a man from the Atlantic Ocean in a two-hour battle against high seas, and Carmalita Capilla, 19, of Kailua, Oahu, Hawaii, who worked as a volunteer every day she was not in school in 1966 to aid the mentally ill at Hawaii State Hospital.

The daughter of Mr. and Mrs. Gene Donohue, 2215 N. 4th St., Mary Lynn is a 1967 graduate of North High School and former president of the Sheboygan Association of Youth.

She directed more than 1,000 area youths in fund-raising projects for the USO, March of Dimes and Muscular Dystrophy, and also hosted a Christmas party for 60 children in the Head Start program.

Now a freshman at Lawrence University in Appleton, she is the second Sheboygan resident to receive the Young American Medal in four years. In 1964, Jean DeMaster, daughter of Mr. and Mrs. John DeMaster, 707 Mayflower Ave., won the coveted award.

Thursday's awards ceremony, in the Cabinet room of the White House, was attended by Atty. Gen. Ramsey Clark, Solicitor General Dean Griswold and FBI Director J. Edgar Hoover.

Miss Donohue's parents were also present to

hear Mr. Johnson comment on the ferment of youth.

"Some of it is foolish, some self destructive, but most of it represents power for good, power for constructive change.

"I think most of it is brave and selfless," the President observed.

Miss Donohue, President Johnson and the other participants in the ceremony all wore leis, gifts from Miss Papilla, who gave Mr. Johnson a traditional Hawaiian kiss when she placed the necklace of flowers about his neck.

MARY LYNN TELLS STORY BEHIND YOUNG AMERICAN MEDAL
(By Marguerite Schumann, of Lawrence University)

Mary Lynn Donohue, whose gay blue eyes and gift for persuasion are logical equipment for anyone with an Irish surname, is as all-American as Sheboygan, her hometown.

Thursday, she, along with a boy from New York and a girl from Hawaii, demonstrated they were all-American in a special way; they were presented with Young American medals by the President of the United States.

The boy from Westbury, N.Y., received a medal for bravery for saving a man from drowning off Fire Island; the girl from Hawaii received a service medal for work with mental patients; and Mary, who is now a freshman at Lawrence University received a service medal for her work as president of the Sheboygan Association of Youth (SAY).

"The Sheboygan Association of Youth is a three-year old city-wide organization of more than 1,000 members who feel a more positive image of what youth are really like must be put before the community," Mary says. "Through charity drives and service projects that SAY sponsors, youth not only help the city, but also help project a sincere image of themselves. The adults of Sheboygan have discovered that SAY is perhaps one of the best ways to communicate with teenagers because it is the only organized 'voice of youth' in Sheboygan except for church youth groups."

DIRECTED PARTICIPATION

As president of SAY, Mary directed teen-participation in fund raising projects for mental health, People to People, the USO, March of Dimes and other causes. She also recruited volunteers for Head Start programs and was treasurer and a member of the steering committee of the Sheboygan Human Rights Association.

"The largest single sum we raised for a project was \$300 for the USO," Mary recalled. "It was the first time I had ever planned a dance in my life, and I was really worried. I never realized there was so much work involved in giving a dance!" But the project that gave her the most personal satisfaction was a Christmas party for the Head Start children.

"The greatest experience for me as president of SAY was being exposed to the adult community," Mary continued. "I went to PTA and city council meetings; I met aldermen and other civic leaders, and I learned how adult charitable organizations work."

TREATED AS EQUAL

"So many times I would go to meetings and I would be 'the Youth' present and then they would ask me 'How does youth feel about this?' While it was hardly instant understanding, still they dealt with me as an equal."

Another great benefit, in Mary's opinion, was learning how to plan and organize. "I like to think that I can now pick up an idea for a project, give it some life and make it go," she says.

Still a third party-by-product of community service on the teen-level was that "I got my own telephone extension," Mary reports happily. "I used to study in my room upstairs with the phonograph blaring, and the night

my mother had to walk to the stairs 20 times and scream above the music convinced her that I should have a phone in my room."

One of the strongest influences in Mary's life is the recent pastor of St. Clement's Catholic Church in Sheboygan, Father Kenneth Fleber, who is now serving in Watford.

SPECIAL FRIEND

"A lot of kids don't have any adult friends—I feel I'm very lucky to have two or three," Mary stated. Among these two or three, Father Fleber is special; he has stirred her sympathy and warmth for all sorts and conditions of men.

Actively concerned with civil rights, Father Fleber arranged for some of the youth of his parish to visit at St. Boniface in Milwaukee, with which Father Groppi is associated.

"I lived in Milwaukee's Inner Core for four days during the visit," Mary remembers, "and it was a great experience for me. I wish now I had been more mature and that I could have done it for a longer period. I was probably a sophomore in high school before I had met a Negro or shaken a Negro's hand."

"When I visited in Milwaukee, a girl passing in a car yelled 'Nigger-lover' at me, and it shocked me. I felt badly for the two kids standing next to me; if the girl had hollered 'White-lover' at them I would have been really hurt." She added, "I met some great kids in Milwaukee."

The same visit was "the first time I'd ever seen poverty. In Sheboygan there's no poverty at all. It's a necessary experience for a teenager to see poverty; so many people go through there lives in a middle-class dream world."

FOR EQUALITY

Mary is dedicated to the cause of human rights. "People aren't willing to realize that something has got to happen in the field," she states earnestly. "So many of them say, 'Oh, I'm for equality, but not next door to me. It's very difficult for me to cope with people like that.'"

Since enrolling at Lawrence, Mary has temporarily retired from the role of organization woman. "I've about had my fill of charitable organizations for a while. This year it has been nice not to be involved in every thing and do some studying for a change," she comments.

She has, however, been an announcer for WLFM, the Lawrence University radio station, doing three news shows and a two-hour program of classical music each week.

"I'm always setting up self-improvement projects, and I decided it was time I acquired an appreciation of classical music. After a couple of months at WLFM, I can at least listen to it without wanting to turn it off."

Most winners modestly profess to be surprised when honors come their way, but in Mary's case her surprise last March was honest. She had forgotten all about the nomination. "It was so long ago—about a year—that it really had left my mind."

Mary's nomination for the Young American medal came about through her journalism teacher at Sheboygan North High, Miss Fern Salisbury, who received an application form from a governor's commission in Madison. The form was duly filled out and a sheaf of newspaper clippings attached. A short time later Mary was called to Madison and given a pin testifying to the fact that she was Wisconsin's nominee for the honor. Then came one year of silence.

When she was reminded that the honor included an invitation to the White House and that the President would actually present the medal, she grinned and said, "I'll probably fall up the stairs—I'm always doing things like that."

But she was a poised, humble honoree under Washington TV cameras. The Mary Lynn Donohues don't stumble when it's important, whether it's accepting a medal from the President or getting a project off the ground.

REMEMBER THE "PUEBLO"?

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1968

Mr. RARICK. Mr. Speaker, in a statement to the House in the Extensions of Remarks of the CONGRESSIONAL RECORD of March 11, 1968, I commented at length on "The Pueblo Incident: Pattern for More?" asking some very pointed questions that so far have not been answered in satisfactory manner, emphasizing that the responsibility for this ignominious affair must lie in Washington, and calling for an inquiry by the Congress to place such responsibility.

Instead of the necessary investigation by the Congress, the incident seems to have been ignored, obscured in deluges of propaganda about far less consequential issues, and now almost forgotten. This is certainly not the way in which our country became great and powerful, but the road to disaster—no road to peace, but one to surrender and defeat.

The latest thoughtful contribution to the literature on the Pueblo incident is an article by Maj. Gen. Thomas A. Lane, U.S. Army, retired, published in the May 18, 1968, issue of Human Events. In this, General Lane shows how the capture of the Pueblo exposed the timid quality of our leadership.

As the indicated article merits a far wider circulation, I insert it as part of my remarks, as follows:

[From Human Events, May 18, 1968]

DOES ANYONE REMEMBER THE "PUEBLO"?

(By Gen. Thomas A. Lane)

Is it idle in the climate of our time to cry "Remember the Pueblo!"? Our leaders don't want to remember the Pueblo. They hope that in the turmoil of peace talks, of national elections, of baseball season and of summer vacations, the people will forget the men who offered their lives to protect the people. Alas, there was a time when an American government which submitted to piracy would have been instantly repudiated by the American people.

You don't have to catalogue the failures of U.S. leadership in recent years to judge its character. That character is transparent in the Pueblo case. It is the same character—or lack of character—which has mired this country in no-win war abroad and raging insurrection at home.

Pipsqueak North Korea seized the U.S.S. Pueblo on the high seas off Wonsan harbor. It was reported at the time that the Pueblo had orders to surrender. The ship was not armed for self-defense. It was not escorted by protecting vessels. Thus, the employment of the Pueblo was an example of the incompetence which U.S. leadership has consistently demonstrated in recent years.

It is prudent for U.S. leaders to assume that their secret operational orders are known to the enemy. When Secretary McNamara posted our spy ships close to enemy waters under orders not to resist seizure, he was inviting the enemy to seize the ships. Capture of the electronic gear would be of great value to the Soviet Union.

Exposing the timid quality of U.S. leadership would exalt Soviet prestige in the world. Soviet daring would influence the wavering neutrals to admit the inevitability of Soviet triumph in the war for the world. And all this could be accomplished without

risk because the orders to the spy ships were known to Soviet intelligence.

The United States has responded to the *Pueblo* seizure with diplomatic protest. But diplomatic protest is ineffectual because our leaders have reduced it to a process of begging. When the opponent knows that the United States will not invoke sanctions to support its position, he can be contemptuous of our words. Diplomacy becomes a sham to deceive and pacify the American people.

Panmunjom is the scene of U.S. mortification. The North Koreans are arrogant, defiant, insulting. Why does the United States submit to such calculated humiliation? Does the man in the White House practice this national self-abasement to show that he is a man of peace?

North Korean piracy is not the subject of discussion. Why, they demand, did the United States violate North Korean waters to spy on an innocent and peace-loving country? What ransom will the United States pay for the return of ship and crew? The United States must confess its guilt, beg forgiveness and promise to mend its ways. The President betrays our national honor by forcing our ambassadors to submit to such insult.

Our leaders are paralyzed by a mortal fear of confrontation with the Soviet Union. They will not invoke against North Viet Nam the sanctions authorized by international law because they don't dare. They will not bow to the demands of North Korea because the American people would not tolerate such open surrender. So they do what politicians always do in crisis—nothing.

Our leaders are lost in a maze of false premises. They fear that vigorous retribution in the *Pueblo* case would jeopardize negotiations in Viet Nam. In reality, forthright action to recover the *Pueblo* and its crew would hasten settlement in Viet Nam by showing the enemy that the United States has no intention of surrendering there. Tolerance of the *Pueblo* aggression encourages the enemy to persevere in the war in Viet Nam. He gains confidence that the United States will capitulate there as it did in Korea.

The Soviet strategists are apparently correct in their assessment of U.S. leadership. Men who acquiesce abjectly in the seizure of the U.S.S. *Pueblo* simply lack the character to represent the United States effectively in Viet Nam or anywhere else.

[From the Washington (D.C.) Post, May 9, 1968]

UNITED STATES, KOREANS MEET AGAIN ON "PUEBLO" CREW

United States and North Korea representatives held their 16th bilateral meeting at Panmunjon Tuesday night, Korean time, to discuss the American request that North Korea release the *Pueblo* and its crew.

Robert J. McCloskey, State Department press officer, said that the meeting was "fairly brief," lasting for about 30 minutes.

In response to questions, he said he expects further meetings, but he declined to say whether any progress had been achieved Tuesday.

THE "PUEBLO": HOW LONG, MR. PRESIDENT?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1968

Mr. SCHERLE. Mr. Speaker, this is the 112th day the U.S.S. *Pueblo* and her crew have been in North Korean hands.

WHY RIDGEWOOD IS TOP 10 SCHOOL

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1968

Mr. PUCINSKI. Mr. Speaker, the Chicago Daily News recently carried an excellent article about one of the most exciting high schools in my entire congressional district, and I would like to call this article to the attention of my colleagues.

This article describes why the Ridgewood High School in Norridge, Ill., which is in my congressional district and also serves Harwood Heights, Ill., today ranks among the 10 top high schools in the Nation.

As chairman of the Subcommittee on General Education here in Congress, I am tremendously proud that a high school in my congressional district should be among the top 10 in the Nation.

But more important, Mr. Speaker, I am proud of the citizens of Norridge and Harwood Heights, Ill., who demand the very best in education for their students and have had the foresight to attract a superintendent-principal and then give him the support he needs to give their children the finest education that the state of the art can produce.

Superintendent-Principal Scott Richardson has brought to Ridgewood a whole constellation of exciting ideas which today are receiving nationwide recognition.

I have watched Ridgewood High develop from its infancy in 1958 and am proud of that fact that during the early years when there were many who questioned some of Mr. Richardson's ideas, the community supported him and gave him a chance to prove that the methods he was introducing would ultimately pay off in the space age.

The Daily News article points out that more than 50 percent of Ridgewood's graduates go on to some kind of advanced training. This in itself is a monument to the good judgement of the people of Norridge and Harwood Heights, who have proven again their deep devotion to their community.

The Norridge-Harwood Heights area in Illinois constitutes only a small segment of my huge congressional district, but I invite school Superintendent Redmond and all the principals of Chicago public high schools in my district to visit the Ridgewood High School and then see whether or not we can produce for their own high school youngsters the high level of education and opportunity now being afforded the young people of Norridge and Harwood Heights, Ill.

I congratulate the Norridge and Harwood Heights officials and the school board for its confidence in its young people and the property owners who are willing to make the financial sacrifice to give their community one of the 10 best high schools in the United States.

To say that I am proud of these people is to put it mildly, for indeed, in these days of high government cost, it is not easy to find citizens who are willing to make a supreme sacrifice in order that

their children shall be given the opportunity that many of their forefathers had been denied.

In the Norridge-Harwood Heights area we find the real heart of America and the spirit which has made this Nation the hope of the entire world.

The Daily News article follows:

SPACE-AGE EDUCATION: WHY RIDGEWOOD IS TOP 10 SCHOOL

(By Robert J. Herguth)

Why does Norridge, Ill., have one of the 10 top high schools in the nation?

No one was surprised when the experts put two often-honored North Shore high schools—Evanston and New Trier—on the Top Ten list, published in the current *Ladies Home Journal*.

But the list also included Ridgewood High in Norridge.

From the Loop, Norridge is a fast ride out the Kennedy Expressway, then south on Harlem Av. It's a 20-year-old village of 18,000 that's crammed belatedly among a lot of other things.

There are new brick bungalows and light-manufacturing buildings on its side streets. Many dads in Norridge make time-and-a-half.

Turn west off Harlem and there's Ridgewood High at 7500 W. Montrose, a 7½-year-old, rambling glassy school on a grassy campus.

In the office of young Scott Richardson, Ridgewood's superintendent-principal, you begin getting clues to Ridgewood's excellence.

"Back in 1958, this little piece of territory didn't amount to much when it came to population. There were no high schools," Richardson says.

"Then a high school district was formed and the notion evolved among the residents that it ought to reflect the modern trends in education."

About the same time, J. Lloyd Trump, one of the patron saints of space-age education, was at the University of Illinois. He was proposing educational advancements now widely known as the Trump Plan.

The Trump Plan includes teaching students in large groups of perhaps 150, in labs, in seminars of 14 to 18 and by independent study and research.

It offers "team-teaching" with several specialist-instructors, some with different expertises, coming in on the same course at various times during the school year.

Ridgewood decided to operate on a modified Trump Plan and Richardson feels that things have gone swimmingly.

Ridgewood, above all, aims at getting students "involved" and interested in their own education. It makes extensive use of all modern teaching aids such as film, tapes, records, slides and student discussion, but its basic organizational unit is the teaching team.

"There are anywhere from two to eight teachers on a team," he said. "One team may deal with youngsters who have difficulty in math and science. The foreign-language team includes all the language teachers, and they work at the problem of language instruction. We can revamp the teams at any time, which gives us considerable flexibility."

Another flexible item at Ridgewood is the class period. Its basic unit is the 20-minute "module."

"A chemistry lab is operated during four modules in sequence," said Richardson. "Seminars are generally two modules long."

"But in languages, we have used one module—because that's just about enough time for beginning students to converse without running out of words they know."

Every 20 minutes, somewhere in Ridgewood, students are moving around to another class or to some free time. Free time at Ridgewood is considered a great force for good. Up to 35 per cent of a student's school

day is free time—for independent study or discussions.

Remember the school library? It's called the Instructional Materials Center at Ridgewood, and it's a fine blend of book, tapes, LPs, slides and film—for individual use by a student who wants enlargement of learning, extra impact or repetition.

Students have electives among their courses. And teachers try to build a student's education on his strong points, not his weaknesses.

Each Ridgewood student still must absorb a basic package of knowledge before graduation. As Richardson explains: "We feel by its nature, there's a unity in knowledge."

"In the long run, we're trying to provide as many options as we can for students to become independent learners. Most of their learning in later life will be independent of a coercive structure."

Do Ridgewood's 1,465 students prefer an independence that makes THEM partly responsible for enlarging their education?

Apparently, most do.

Sophomore Bob Zaleski, 16, said, "I think I like it better. It puts you more in a mood to study. Here, you want to work."

Ridgewood has a pupil-teacher ratio of less than 19 to 1, which puts it in the middle range of most Chicago suburban schools. Its teaching staff starts at \$7,600 a year (bache-

lor's degree with no experience) and is young and enthusiastic.

More than 50 per cent of Ridgewood's grads go on to some kind of advance training. That's up from about 30 per cent in the first graduating classes.

All these could be reasons that the experts picked Ridgewood as one of the top 10 U.S. high schools.

SMALL BUSINESS WEEK

HON. WILLIAM V. ROTH, JR.

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1968

Mr. ROTH. Mr. Speaker, the Governor of Delaware, the Honorable Charles L. Terry, Jr., has designated this week, May 12 through 18, as "Small Business Week" in Delaware, conforming with National Small Business Week.

I am happy to echo the Governor's statement praising the contributions of Delaware small business men and women to the cause of prosperity and opportunity for all our people.

Accordingly, Mr. Speaker, I place the statement of Governor Terry in the RECORD as part of my remarks:

STATEMENT BY GOV. CHARLES L. TERRY, JR., SMALL BUSINESS WEEK, MAY 12-18, 1968

Small businesses are a vital force in our free society, preserving competition and offering the consumer a wide choice of goods and services.

Small businesses can be counted upon to furnish much of the imagination and leadership needed to bring forth new ideas, new methods and new products vital to our nation's progress and economic growth.

Small businesses represent a broad source of diversified employment, providing men and women of all races and creeds with job opportunities or an independent livelihood.

Small businessmen, as civic leaders, continue to play an important role in community-wide programs to eliminate poverty.

Accordingly, it is a pleasure as Governor of Delaware, to designate the week beginning May 12, 1968, as "Small Business Week" within our State and to call upon Chambers of Commerce, boards of trade, and other public and private organizations to participate in ceremonies recognizing the contribution made by the small businesses of this State to our goal of a better and more productive life for all our people.

HOUSE OF REPRESENTATIVES—Tuesday, May 14, 1968

The House met at 12 o'clock noon.

Pastor David A. Swanson, Trinity Evangelical Lutheran Church, Wyandanch, N.Y., offered the following prayer:

Great God, we call this solemn assembly to session not necessarily in Your name, but it is in Your world; something hard for us to admit, and a world hard for You to recognize. We ask that we might have the intestinal fortitude not to be bent over by the pressure of inhuman vested interest; that we might have the backbone to stand straight for honest justice; that You pull the plugs out of our ears that we might hear the cries of Your people from the streets of our constituencies, from the nations of Your world; and finally that we may govern as instruments of solutions, not as instruments of problems. For God's sake. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 16409. An act to amend the District of Columbia Teachers' Salary Act of 1955 to provide salary increases for teachers and school officers in the District of Columbia public schools, and for other purposes.

THE LATE HONORABLE LOUIS GARY CLEMENTE

Mr. ADDABBO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ADDABBO. Mr. Speaker, it is my sad duty to announce to the House the death of my dear and close friend and neighbor, L. Gary Clemente at the age of 59. Gary served with distinction in this House from 1949 through 1952 and was a proud member of the Committee on Armed Services. He is still remembered by those who served with him for his great diligence, wit, and, in his relaxing moments, his harmonious singing voice. He was a close friend and associate of our late beloved House Member and President of the United States, John F. Kennedy. I am proud to now represent a part of the district he represented and to come from Ozone Park where he was born.

Mr. Clemente, prior to his House service, served on the New York City Council from 1945 through 1948.

Gary was a graduate of the Georgetown University School of Law and practiced law in New York City and Washington before World War II. He was commissioned a second lieutenant in 1940, served in Army Intelligence and as an Army judge advocate, rising to the rank of colonel. Following his House service, he was a partner in the law firm of Mannin, Hollinger & Shea.

Our former colleague had interests in many lines of endeavor, industry, religious, civic, and fraternal. He was a director of Mary Immaculate Hospital where he died; he had been a director of the Angel Guardian Home of Brooklyn and the New York World's Fair Corp., 1964-65; he was on the boards of the Federation Bank & Trust Co., the Queensboro Council for Social Welfare, the Queens Council of the Boy Scouts; he was a founder and past president of the Ferrini Welfare League of Catholic Char-

ities; and he was a former chairman of the Americanism Committee of the Disabled American Veterans.

Mrs. Addabbo joins me in extending our sympathy and prayers to Gary's devoted wife, Ruth, and to their nine children, Gary E., Stephen C., Michael A., John P., Peter J., Christina A., Catherine M., Barbara C., and Patricia Ruth, and to all members of the Clemente family.

A mass for Mr. Clemente will be offered at 10:30 a.m. Friday, May 17, at Immaculate Conception Roman Catholic Church in Jamaica, N.Y.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. ADDABBO. I yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I join our colleague, the gentleman from New York, in this expression of sorrow over the death of a fine former colleague, Gary Clemente.

Mr. Clemente served in the House with distinction. I knew him as a good friend, a fine legislator, and outstanding public servant.

I join the gentleman in extending sympathy to Mrs. Clemente and the children.

Mr. ROSENTHAL. Mr. Speaker, will the gentleman yield?

Mr. ADDABBO. I yield to my colleague from New York [Mr. ROSENTHAL].

Mr. ROSENTHAL. I thank the gentleman.

Mr. Speaker, it is with a heavy heart that I received the news of the death of the Honorable Louis Gary Clemente, of New York, who served in the Congress of the United States for a period of 4 years—from 1949 to 1953.

This distinguished New Yorker, and Long Islander, served his country, his State, and his community in many and varied capacities. He was born in New York and received his basic education there. He was an ambitious and energetic young man, and attended law